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no. 38
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JIM EDGAR
Secretary of State

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Administrative Code Div.
201 West Monroe
Springfield, IL 62756

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Illinois register
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DIS REGISTER

Rules of Governmental Agencies

TABLE OF CONTENTS

PROPOSED RULES	PAGE
AGING, DEPARTMENT ON Older Americans Act Programs; 89 Ill. Adm. Code 230	14499
CHILDREN AND FAMILY SERVICES, DEPARTMENT OF Services Delivered by the Department; 89 Ill. Adm. Code 302	14508
EDUCATION, BOARD OF HIGHER Engineering Grant Program; 23 Ill. Adm. Code 1025	14516
Health Services Education Grants Act; 23 Ill. Adm. Code 1020	14521
Ill. Financial Assistance Act for Nonpublic Institutions of Higher Learning; 23 Ill. Adm. Code 1000	14531
ELECTIONS, STATE BOARD OF General Rules & Regs. under the Campaign Financing Act; 26 Ill. Adm. Code 100	14539
Miscellaneous; 26 Ill. Adm. Code 207	14549
Practice & Procedure; 26 Ill. Adm. Code 125	14556
POLLUTION CONTROL BOARD Existing Activities In A Setback Zone or Regulated Recharge Area; 35 Ill. Adm. Code 615	14589
Hearings Pursuant To Specific Rules; 35 Ill. Adm. Code 106	14634
Introduction; 35 Ill. Adm. Code 601	14641
New Activities In A Setback Zone or Regulated Recharge Area; 35 Ill. Adm. Code 616	14647
Regulated Recharge Areas; 35 Ill. Adm. Code 617	14693
Regulatory & Informational Hearings & Proceedings; 35 Ill. Adm. Code 102 ...	14696
Regulatory & Other Nonadjudicative Hearings & Proceedings; 35 Ill. Adm. Code 102, Repeal of	14727
PUBLIC AID, DEPARTMENT OF Aid To Families With Dependent Children; 89 Ill. Adm. Code 112	14741
Food Stamps; 89 Ill. Adm. Code 121	14756
General Assistance; 89 Ill. Adm. Code 114	14764
Medical Assistance Programs; 89 Ill. Adm. Code 120	14778
Refugee/Entrant/Repatriate Program; 89 Ill. Adm. Code 115	14790
REHABILITATION SERVICES, DEPARTMENT OF Maintenance; 89 Ill. Adm. Code 602	14797
REVENUE, DEPARTMENT OF Retailers' Occupation Tax; 86 Ill. Adm. Code 130	14800

(continued on next page)

SECRETARY OF STATE

Cancellation, Revocation or Suspension of Licenses or Permits; 92 Ill.	
Adm. Code 1040	14810
Dealers, Wreckers, Transporters & Rebuilders; 92 Ill. Adm. Code 1020	14818
Revised Uniform Limited Partnership Act; 14 Ill. Adm. Code 170	14824

ADOPTED RULES

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

Licensing Standards for Group Day Care Homes; 89 Ill. Adm. Code 408	14828
---	-------

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

Training Services for the Disadvantaged; 56 Ill. Adm. Code 2610	14875
---	-------

COMMUNITY COLLEGE BOARD, ILLINOIS

Administration of the Ill. Public Community College Act; 23 Ill. Adm.	
Code 1501	14904

CONSERVATION, DEPARTMENT OF

Dog Training on Non-Department Owned or -Managed Lands; 17 Ill. Adm.	
Code 960	14921
Duck, Goose & Coot Hunting; 17 Ill. Adm. Code 590	14925
Possession of Specimens or Products of Endangered or Threatened	
Species; 17 Ill. Adm. Code 1070	14934
Taking of Wild Turkeys - Fall Gun Season, The; 17 Ill. Adm. Code 715	14950

EDUCATION, STATE BOARD OF

Gifted Education; 23 Ill. Adm. Code 227	14957
---	-------

EDUCATIONAL LABOR RELATIONS BOARD, ILLINOIS

University of Ill. Bargaining Units; 80 Ill. Adm. Code 1135	14969
---	-------

FIRE MARSHAL, OFFICE OF THE STATE

Storage, Transportation, Sale & Use of Gasoline & Volatile Oils; 41 Ill. Adm.	
Code 180	14978
Storage, Transportation, Sale & Use of Petroleum & Other Regulated	
Substances; 41 Ill. Adm. Code 170	14992

NUCLEAR SAFETY, DEPARTMENT OF

Accrediting Persons in the Practice of Medical Radiation Technology; 32 Ill.	
Adm. Code 401	15005

POLLUTION CONTROL BOARD

Underground Storage Tanks; 35 Ill. Adm. Code 731	15010
--	-------

PROFESSIONAL REGULATION, DEPARTMENT OF

Barber, Cosmetology & Esthetics Act of 1985, The; 68 Ill. Adm.	
Code 1175	15034
Dental Practice Act; 68 Ill. Adm. Code 1220	15043

PUBLIC AID, DEPARTMENT OF

Ill. Competitive Access & Reimbursement Equity (ICARE) Program; 89 Ill.	
Adm. Code 149	15070

PUBLIC HEALTH, DEPARTMENT OF

Newborn Metabolic Screening & Treatment Code; 77 Ill. Adm. Code 661	15079
---	-------

REHABILITATION SERVICES, DEPARTMENT OF

Non-Homemaker Service Provider Requirements; 89 Ill. Adm. Code 714	15091
--	-------

SECRETARY OF STATE

Certificates of Title, Registration of Vehicles; 92 Ill. Adm. Code 1010	15102
Issuance of Licenses; 92 Ill. Adm. Code 1030	15112

(continued on next page)

EMERGENCY RULES

CONSERVATION, DEPARTMENT OF

Sport Fishing Regs. for the Waters of Ill.; 17 Ill. Adm. Code 810..... 15118

AGENCY NOTICES OF MODIFICATION, WITHDRAWAL OR REFUSAL

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

Licensing Standards for Group Day Care Homes; 89 Ill. Adm. Code 408,
Refusal 15123

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

Training Services for the Disadvantaged; 56 Ill. Adm. Code 2610, Refusal 15125

FIRE MARSHAL, OFFICE OF THE STATE

Storage, Transportation, Sale & Use of Petroleum & Other Regulated
Substances; 41 Ill. Adm. Code 170, Refusal 15126

REHABILITATION SERVICES, DEPARTMENT OF

Total Life Planning Program; 89 Ill. Adm. Code 895, Refusal 15127

NOTICE OF CORRECTIONS

COMPTROLLER

Public Radio & Television Station Grants; 74 Ill. Adm. Code 280..... 15128

PUBLIC HEARINGS

PUBLIC HEALTH, DEPARTMENT OF

Ill. Health & Hazardous Substances Registry; 77 Ill. Adm. Code 840 15129

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Second Notices Received 15131

EXECUTIVE ORDERS AND PROCLAMATIONS

PROCLAMATIONS

89-375 International Visitors Month (Revised) 15132
89-390 Food Service Employees Week 15132
89-391 Joseph Cardinal Glomp Day 15133
89-392 Lyric Opera Month 15133
89-393 Osteopathic Medicine Week 15133
89-394 Vegetarian Day 15134
89-395 Emergency Medical Services Week 15134
89-396 Eunice W. Johnson Day 15135
89-397 George Mitchell Day 15135
89-398 Maynard I. Wishner Day 15136
89-399 Safety Town Week 15136
89-400 Talk About Prescriptions Month 15137
89-401 Certified Professional Secretaries Month 15137
89-402 Respect Life Week 15138
89-403 Women in Construction Week 15138

CUMULATIVE INDEX

1989 Index - Issue #1 thru Issue #38 CI-1

SECTIONS AFFECTED INDEX

1989 Index - Issue #1 thru Issue #37 SAI-1
1989 Index - Issue #38 SAI-57

INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category. Rulemaking activity consists of proposed or adopted new rules or amendments to or repealers of existing rules, including those by emergency or peremptory action.

The *Register* also contains Executive Orders and Proclamations issued by the Governor, notices of public information required by State statute, and activities (meeting agendas, Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State agencies. In addition, the *Register* contains a Cumulative Index listing alphabetically by agency the Parts (sets of rules) on which rulemaking activity has occurred in the current *Register* volume and a Sections Affected Index listing, by Title of the *Illinois Administrative Code*, each Section (including supplementary material) of a Part on which rulemaking activity has occurred in the current volume. Both indices are action coded and are designed to aid the public in monitoring rules.

The *Register* will serve as the update to the *Illinois Administrative Code*, a compilation of the rules of State agencies. The most recent edition of the *Code* along with the *Register* comprise the most current accounting of the State agencies' rules.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1985, ch. 127, pars. 1001 et seq., as amended).

REGISTER PUBLICATION SCHEDULE 1989

Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:	Material Rec'd after 4:30 p.m. on:	And before 4:30 p.m. on:	Will be in Issue #:	Published on:
Dec. 20, 1988	Dec. 27, 1988	1	Jan. 6, 1989	June 27, 1989	July 3, 1989 (Mon.)	28	July 14, 1989
Dec. 27, 1988	Jan. 3, 1989	2	Jan. 13, 1989	July 3, 1989 (Mon.)	July 11, 1989	29	July 21, 1989
Jan. 3, 1989	Jan. 10, 1989	3	Jan. 20, 1989	July 11, 1989	July 18, 1989	30	July 28, 1989
Jan. 10, 1989	Jan. 17, 1989	4	Jan. 27, 1989	July 18, 1989	July 25, 1989	31	Aug. 4, 1989
Jan. 17, 1989	Jan. 24, 1989	5	Feb. 3, 1989	July 25, 1989	Aug. 1, 1989	32	Aug. 11, 1989
Jan. 24, 1989	Jan. 31, 1989	6	Feb. 10, 1989	Aug. 1, 1989	Aug. 8, 1989	33	Aug. 18, 1989
Jan. 31, 1989	Feb. 7, 1989	7	Feb. 17, 1989	Aug. 8, 1989	Aug. 15, 1989	34	Aug. 25, 1989
Feb. 7, 1989	Feb. 14, 1989	8	Feb. 24, 1989	Aug. 15, 1989	Aug. 22, 1989	35	Sept. 1, 1989
Feb. 14, 1989	Feb. 21, 1989	9	Mar. 3, 1989	Aug. 22, 1989	Aug. 29, 1989	36	Sept. 8, 1989
Feb. 21, 1989	Feb. 28, 1989	10	Mar. 10, 1989	Aug. 29, 1989	Sept. 5, 1989	37	Sept. 15, 1989
Feb. 28, 1989	Mar. 7, 1989	11	Mar. 17, 1989	Sept. 5, 1989	Sept. 12, 1989	38	Sept. 22, 1989
Mar. 7, 1989	Mar. 14, 1989	12	Mar. 24, 1989	Sept. 12, 1989	Sept. 19, 1989	39	Sept. 29, 1989
Mar. 14, 1989	Mar. 21, 1989	13	Mar. 31, 1989	Sept. 19, 1989	Sept. 26, 1989	40	Oct. 6, 1989
Mar. 21, 1989	Mar. 28, 1989	14	Apr. 7, 1989	Sept. 26, 1989	Oct. 3, 1989	41	Oct. 13, 1989
Mar. 28, 1989	Apr. 4, 1989	15	Apr. 14, 1989	Oct. 3, 1989	Oct. 10, 1989	42	Oct. 20, 1989
Apr. 4, 1989	Apr. 11, 1989	16	Apr. 21, 1989	Oct. 10, 1989	Oct. 17, 1989	43	Oct. 27, 1989
Apr. 11, 1989	Apr. 18, 1989	17	Apr. 28, 1989	Oct. 17, 1989	Oct. 24, 1989	44	Nov. 3, 1989
Apr. 18, 1989	Apr. 25, 1989	18	May 5, 1989	Oct. 24, 1989	Oct. 31, 1989	45	Nov. 13, 1989 (Mon.)
Apr. 25, 1989	May 2, 1989	19	May 12, 1989	Oct. 31, 1989	Nov. 7, 1989	46	Nov. 17, 1989
May 2, 1989	May 9, 1989	20	May 19, 1989	Nov. 7, 1989	Nov. 14, 1989	47	Nov. 27, 1989 (Mon.)
May 9, 1989	May 16, 1989	21	May 26, 1989	Nov. 14, 1989	Nov. 21, 1989	48	Dec. 1, 1989
May 16, 1989	May 23, 1989	22	June 2, 1989	Nov. 21, 1989	Nov. 28, 1989	49	Dec. 8, 1989
May 23, 1989	May 30, 1989	23	June 9, 1989	Nov. 28, 1989	Dec. 5, 1989	50	Dec. 15, 1989
May 30, 1989	June 6, 1989	24	June 16, 1989	Dec. 5, 1989	Dec. 12, 1989	51	Dec. 22, 1989
June 6, 1989	June 13, 1989	25	June 23, 1989	Dec. 12, 1989	Dec. 19, 1989	52	Dec. 29, 1989
June 13, 1989	June 20, 1989	26	June 30, 1989	Dec. 19, 1989	Dec. 26, 1989	1	Jan. 5, 1990
June 20, 1989	June 27, 1989	27	July 7, 1989	Dec. 26, 1989	Jan. 2, 1990	2	Jan. 12, 1990

Please note: When the *Register* deadline falls on a State holiday, the deadline becomes 4:30 p.m. on Monday (the day before).

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Older Americans Act Programs
- 2) Code Citation: 89 Ill. Adm. Code 230
- 3) Section Number: 230.45 Proposed Action: Amendment
- 4) Statutory Authority: Ill. Rev. Stat., 1987, Ch. 23, Sections 6104.01(4), (11), and (12); and 6105.02

5) A Complete Description of the Subjects and Issues Involved:

The Department is proposing to revise its intrastate funding formula which is used to allocate Federal Older American Act Title III funds and state General Revenue Funds which have been appropriated to the Department by the state legislature for distribution to the thirteen Area Agencies on Aging in Illinois.

Periodic review and updating of the state's intrastate funding formula is required by the Older Americans Act (45 CFR 1321.37). The Illinois Association of Area Agencies on Aging, which includes all thirteen Area Agencies on Aging in Illinois, has asked the Department to revise the methodology used in the formula for allocating increases and/or decreases in funds by specific funding source. The Department supports the recommendation of the Illinois Association of Area Agencies on Aging to revise the intrastate funding formula and is, therefore, proposing these amendments to Section 230.45.

6) Will this proposed rule replace an emergency rule currently in effect?

Yes ☐ No ☒

7) Does this rulemaking contain an automatic repeal date?

Yes ☐ No ☒

8) Does this proposed amendment contain incorporations by reference? No9) Are there any other proposed amendments on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
230.360	Amendment	13 Ill. Reg. 13119: 8/18/89
230.362	Amendment	13 Ill. Reg. 13119: 8/18/89
230.364	Amendment	13 Ill. Reg. 13119: 8/18/89
230.365	Amendment	13 Ill. Reg. 13119: 8/18/89

10) Statement of Statewide Policy Objectives: N/A11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

Written comments may be submitted until thirty (30) calendar days following the date of publication of this notice to:

Melvin E. Koch
Policy and Rules Analyst
Illinois Department on Aging
421 East Capitol Avenue
Springfield, Illinois 62701

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: September 11, 1989
- B) Types of small businesses affected:
Area Agencies on Aging
- C) Reporting, bookkeeping or other procedures required for compliance:
No change from previously established requirements.
- D) Types of professional skills necessary for compliance:
No change from previously established requirements.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER II: DEPARTMENT ON AGING
PART 230
OLDER AMERICANS ACT PROGRAMS

SUBPART A: STATE AGENCY

Section	Designation and Function
230.10	Administration
230.20	State Plan
230.30	State Agency Requirements
230.40	Advocacy
230.41	Long-Term Care Ombudsman Program
230.42	Service Delivery Systems Responsibilities
230.43	State Advisory Council
230.44	Intrastate Funding Formula
230.45	Hearings
230.46	Designation of Planning and Service Areas
230.47	

SUBPART B: AREA AGENCIES ON AGING

Section	Designation and Function
230.110	Administration
230.120	Area Plans
230.130	Withdrawal of Area Agency on Aging Designation
230.140	Continuity of Services
230.145	Area Agency on Aging Responsibilities
230.150	

SUBPART C: SERVICE REQUIREMENTS

Section	Direct Provision of Services by the Department and Area Agencies on Aging
230.210	Planning, Coordination and Provision of Services Funded Under Other Programs
230.220	Licensure and Safety Requirements
230.230	Provider Requirements
230.240	Services
230.250	

SUBPART D: FISCAL REQUIREMENTS

Section	Types of Allotments
230.310	Limitations on Use
230.320	Service Funding Requirements
230.330	

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

230.340	Obligation of Allotments
230.350	Maintenance of Effort: Non-Federal Share
230.360	General Financial and Compliance Requirements
230.361	Purpose of Financial and Compliance Audits
230.362	Audit Engagement Letter
230.363	Distribution of the Cost of a Unified Audit
230.364	Scope of the Financial and Compliance Audit
230.365	Audit Reports
230.370	Program and Financial Reviews

SUBPART E: HEARINGS

Section	Hearing Before the Department
230.410	Hearing Before the Area Agency on Aging
230.420	Non-applicability of Hearing Requirements
230.430	Arrangements for Hearings
230.440	

SUBPART F: TITLE III-D

Section	Target Population (Emergency Expired)
230.510	Eligibility Criteria (Emergency Expired)
230.520	Eligibility Determination (Emergency Expired)
230.530	Allowable Services (Emergency Expired)
230.540	Maintenance of Effort (Emergency Expired)
230.550	Coordination of Services (Emergency Expired)
230.560	Distribution of Funds (Emergency Expired)
230.570	Area Agency on Aging Administration (Emergency Expired)
230.580	

AUTHORITY: Implementing the Illinois Act on the Aging (Ill. Rev. Stat. 1987, ch. 23, pars. 6101 et seq.) and the Older Americans Act (42 U.S.C.A., 3001 et seq.) and authorized by Section 4.01 of the Illinois Act on the Aging (Ill. Rev. Stat. 1987, ch. 23, par. 6104.01).

SOURCE: Adopted at 5 Ill. Reg. 3722, effective March 31, 1981; amended at 6 Ill. Reg. 7379, effective June 16, 1982; codified at 7 Ill. Reg. 5178; amended at 7 Ill. Reg. 9132, effective July 27, 1983; amended at 8 Ill. Reg. 9330, effective June 15, 1984; amended at 9 Ill. Reg. 5297, effective April 8, 1985; amended at 10 Ill. Reg. 5787, effective March 27, 1986; recodified 10 Ill. Reg. 14616, effective August 26, 1986; amended at 11 Ill. Reg. 3856, at 10 Ill. Reg. 7653; amended at 10 Ill. Reg. 14616, effective August 26, 1986; amended at 11 Ill. Reg. 3856, effective February 17, 1987; amended at 11 Ill. Reg. 7586, effective April 8, 1987; amended at 11 Ill. Reg. 15869, effective October 1, 1987; emergency amendments at 12 Ill. Reg. 12540, effective July 15, 1988, for a maximum of 150 days, expired December 12, 1988; amended at 13 Ill. Reg. _____, effective _____.

NOTE: Statutory language is denoted by bold type.

NOTICE OF PROPOSED AMENDMENTS

Section 230.45 Intrastate Funding Formula

The Department following consultation with all area agencies on aging in the State shall develop and utilize an intrastate funding formula which meets the requirements specified in 45 CFR 1321.37.

- a) The Department shall allocate Title III Older Americans Act funds and state General Revenue Funds appropriated for distribution to the thirteen Area Agencies on Aging on a formula based in accordance with Older Americans Act requirements.
- b) For purposes of this Section, the following terms have the meanings specified:

"Base" means the current year's allocation for each source of funds (e.g., Title III-B, Title III-C1, Title III-C2, Title III-D, GRF Match, GRF Home Delivered Meals, etc.) distributed by the Department to the thirteen Area Agencies on Aging for their respective Planning and Service Areas. Each Area Agency on Aging has a "base" level for each source of funds it receives from the Department to be administered through the Area Plan on Aging.

"Bureau of the Census" means the Bureau of the Census, U.S. Department of Commerce.

"Floor" means a guaranteed minimum funding level that is activated only when the allocation to a particular Planning and Service Area falls below the predetermined level upon application of the funding formula. For the purpose of this Section, the applicable "floor" for each PSA is:

PSA	FLOOR
01	\$ 1,919,531
02	3,080,730
03	2,115,886
04	1,229,409
05	2,789,584
06	827,357
07	2,055,216
08	2,115,878
09	866,666
10	863,282
11	1,898,935
12	10,609,947
13	4,343,489

"Housing unit" means a house, an apartment, a group of rooms,

NOTICE OF PROPOSED AMENDMENTS

or a single room occupied as a separate living quarters.

"Living alone" means being the sole resident of a housing unit.

"Minority group" means those persons who identify themselves as belonging to a particular ethnic/racial grouping as classified in the Bureau of the Census publication PC80-1-C15.

"PSA" means a Planning and Service Area which is designated pursuant to Section 230.47.

"Poverty threshold" means the income cutoff which determines an individual's poverty status as defined in Bureau of the Census publication PC80-1-C15.

"Rural area" means a geographic location not within a Standard Metropolitan Statistical Area (SMSA) as defined in Bureau of the Census publication PC80-1-C15.

- c) In order for a particular factor to be included in the intrastate funding formula, it must:

- 1) be derived from data which is quantifiable by PSA;
 - 2) be based on data which is derivable from the Bureau of the Census; and
 - 3) characterize at least 5 percent of the state's population 60 years of age and older.
- d) The formula contains the following factors:

- 1) The number of the state's population 60 years of age and older in the PSAs as an indicator of need in general (60+ population).
- 2) The number of the state's population 60 years of age and older at or below the poverty threshold in the PSAs as an indicator of greatest economic need (GEN -60+ Poverty).
- 3) As indicators of greatest social need, the number of the state's elderly in the PSAs who are:
 - A) sixty (60) years of age and over and a member of a minority group (GSN -60+ Minority);
 - B) sixty (60) years of age and over and living alone (GSN -60+ Living Alone);

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

- C) seventy-five (75) years of age and over (GSN -75+ Population).
- 4) The number of the state's population 60 years of age and older residing in rural areas of the PSAs as a means of assuring that the State will spend an amount equal to or not less than 105% of the amount expended for services to rural elderly in federal FY 78.
- e) The funding formula factors are weighted as follows:
- | | |
|--|-------|
| 1) 60+ Population | 45.0% |
| 2) Greatest Economic Need: (60+ Poverty) | 25.0% |
| 3) Greatest Social Need: (60+ Minority - 10.0%) (60+ Living Alone - 10.0%) (75+ Population - 5.0%) | 25.0% |
| 4) 60+ Rural | 5.0% |
- f) The intrastate funding formula is:
- 1) $A = (.45 \text{ POP-60} + .25 \text{ POV-60} + .10 \text{ MIN-60} + .10 \text{ LA-60} + .05 \text{ POP-75} + .05 \text{ RUR-60}) \times (I)$
- 2) Where:
- A) A = Funding allocation from a specific source of funds to a particular PSA
- B) POP-60 = Percentage of the state's population within the particular PSA age 60 and older.
- C) POV-60 = Percentage of the state's population within the particular PSA age 60 and older at or below the poverty threshold.
- D) MIN-60 = Percentage of the state's population within the particular PSA age 60 and older and a member of a minority group.
- E) LA-60 = Percentage of the state's population within the particular PSA age 60 and older and living alone.
- F) POP-75 = Percentage of the state's population within the particular PSA age 75 and older.

- G) $\text{RUR-60} = \text{Percentage of the state's population within the particular PSA age 60 and older not residing in SMSA}$
- H) $I = \frac{\text{The total amount of funds appropriated for a specific source of funds.}}{\text{The total amount of funds.}}$

- g) In the event that a PSA's funding allocation, as calculated by the funding formula in subsection (f)(1), is less than the floor allocation for that PSA, as defined in subsection (b), then that PSA will receive the floor allocation, and the funding for any PSA remaining above the floor would be calculated by applying the formula to the total statewide funds less the amounts allocated to any PSA by the floor allocation provision of this Section.
- g) The base is to be used as the starting point when calculating any increases or decreases in a source of funds to be allocated to the PSAs. After the most recent allocation levels have been calculated, the resulting allocation levels for each source of funds become the new base.
- 1) When the amount of funds appropriated to the Department for allocation to the PSAs from any source of funds increases, each PSA will receive its base allocation from that source of funds plus its share of the additional funds. Each PSA's share of the additional funds is calculated by use of the formula delineated in subsection (f)(1).
- 2) When the amount of funds appropriated to the Department for allocation to the PSAs from any source of funds decreases, each PSA will receive will receive its base allocation from that source of funds minus its share of the reduction in funds. The percentage reduction in funds for each PSA will equal the percentage reduction for the source of funds that was reduced.
- h) In the event that total funds available for distribution to the PSAs are reduced below the current levels (i.e., the level in effect immediately prior to the effective date of the reduction), the allocation of funds to each PSA will be reduced by a percentage equal to the total reduction of funds. Any subsequent increase in total funds would be directed to restoring any PSAs to the floor level.
- ih) The data used in the intrastate funding formula reflects the most current and up-to-date information from the Bureau of the Census, including mid-census estimates when available.
- i) The only exception to the above provisions will be in instances of a legislatively directed program requiring funding at a designated level.

DEPARTMENT ON AGING

NOTICE OF PROPOSED AMENDMENTS

level for a defined target population. These funds will be distributed in accordance with the prescribed formula stated in the applicable legislation. If there is not a prescribed formula stated in the applicable legislation, the Department has the authority to determine the methodology to be used to distribute the funds.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of Part: Services Delivered by the Department
- 2) Code Citation: 89 Ill. Adm. Code 302
- 3) Section Numbers: Proposed Action
302.390 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 23, par. 5035.1
- 5) A Complete Description of the Subjects and Issues Involved: Department rules governing placement services are being amended to require that the Department shall provide important information about the children it is placing in substitute care to foster parents or other substitute caretakers. The information should be provided as soon as possible upon placement of the children or as soon as the information is available. Such information includes medical, school, legal and other background information about the child.
- 6) Will this proposed amendment replace an emergency rule currently in effect?
No
- 7) Does this rulemaking contain an automatic repeal date: Yes ☐ No ☒
If "yes", date: _____
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking does not create or expand a state mandate as defined in Section 3(b) of the State Mandate Act (Ill. Rev. Stat. 1987, ch. 85, par. 2203).
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication on this notice. Comments should be submitted to:

Jacqueline Nottingham, Chief
Office of Rules and Procedures
Department of Children and Family Services
406 East Monroe
Springfield, Illinois 62701-1498
217/785-2592

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENT

The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: September 7, 1989
- B) Types of small businesses affected: Child welfare agencies
- C) Reporting, bookkeeping or other procedures required for compliance: specific information regulating the child's background must be forwarded to substitute caretakers at the time the child is placed.
- D) Types of professional skills necessary for compliance: Social casework

The full text of the Proposed amendment begins on the next page:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER a: SERVICE DELIVERY

PART 302

SERVICES DELIVERED BY THE DEPARTMENT

SUBPART A: GENERAL PROVISIONS

Section	Purpose
302.10	Definitions
302.20	Introduction
302.30	Department Service Goals
302.40	Functions in Support of Services
302.50	

SUBPART B: REPORTS OF SUSPECTED CHILD ABUSE OR NEGLECT (Recodified)

Section	
302.100	Reporting Child Abuse or Neglect to the Department (Recodified)
302.110	Content of Child Abuse or Neglect Reports (Recodified)
302.120	Transmittal of Child Abuse or Neglect Reports (Recodified)
302.130	Special Types of Reports (Recodified)
302.140	Referral to Local Law Enforcement and State's Attorney (Recodified)
302.150	Delegation of the Investigation (Recodified)
302.160	The Investigative Process (Recodified)
302.170	Taking Children Into Temporary Protective Custody (Recodified)
302.180	Notification of the Determination Whether Child Abuse or Neglect Occurred (Recodified)
302.190	Referral for Other Services (Recodified)

SUBPART C: DEPARTMENT CHILD WELFARE SERVICES

Section	
302.300	Adoptive Placement Services
302.305	Adoption Listing Service for Special Needs Children
302.310	Adoption Assistance
302.315	Adoption Registry
302.320	Counseling or Casework Services
302.330	Day Care Services
302.340	Emergency Caretaker Services
302.350	Family Planning Services
302.360	Health Care Services
302.370	Homemaker Services
302.380	Information and Referral Services
302.390	Placement Services
302.400	Successor Guardianship

Appendix A: Acknowledgement of Mandated Reporter Status (Recodified)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

AUTHORITY: Implementing and authorized by Section 5 et seq. of "AN ACT creating the Department of Children and Family Services, codifying its powers and duties, and repealing certain Acts and Sections herein named" (Ill. Rev. Stat. 1987, ch. 23, pars. 5005 et seq.); Section 3-6-2(g) of the Unified Code of Corrections (Ill. Rev. Stat. 1987, ch. 38, par. 1003-6-2(g)); Illinois Alcoholism and Other Drug Dependency Act (Ill. Rev. Stat. 1987, ch. 111½, pars. 6351-3 et seq.); and Public Law 96-272, Adoption Assistance and Child Welfare Act of 1980 (94 Stat. 500); Section 1-1 et seq. of the Juvenile Court Act of 1987 (Ill. Rev. Stat. 1987, ch. 37, pars. 801-1 et seq.), and "AN ACT in relation to the adoption of persons and to repeal an Act therein named," (Ill. Rev. Stat. 1987, ch. 40, par. 1501 et seq.).

SOURCE: Adopted and codified at 5 Ill. Reg. 13188, effective November 30, 1981; amended at 6 Ill. Reg. 15529, effective January 1, 1983; recodified at 8 Ill. Reg. 992; peremptory amendment at 8 Ill. Reg. 5373, effective April 12, 1984; amended at 8 Ill. Reg. 12143, effective July 9, 1984; amended at 9 Ill. Reg. 2467, effective March 1, 1985; amended at 9 Ill. Reg. 9104, effective June 14, 1985; amended at 9 Ill. Reg. 15820, effective November 1, 1985; amended at 10 Ill. Reg. 5915, effective April 15, 1986; amended at 11 Ill. Reg. 1390, effective January 13, 1987; amended at 11 Ill. Reg. 1551, effective January 14, 1987; amended at 11 Ill. Reg. 1829, effective January 15, 1987; Former Subpart B, Part 302 and Appendix A, Part 302 recodified to 89 Ill. Adm. Code 300 at 11 Ill. Reg., effective January 15, 1987; amended at 13 Ill. Reg., effective

Section 302.390 Placement Services

a) When Placement is Appropriate

1) Placement services are not offered unless appropriate family preservation services have been provided to the family, or have been offered to and refused by the family. However, when the children's safety and well-being are endangered as defined in Section 302.390 (d), and other services are deemed insufficient to ensure their safety and well-being, placement services shall be provided even though other appropriate services have not been offered.

2) Other than situations where emergency placement is necessary, the family shall be offered an appropriate mix of services directed at family preservation to supplement their parenting skills or to resolve or alleviate family problems which threaten to harm the child. Services directed toward family preservation shall be offered and will be identified in the service plan. When services are unsuccessful, or are offered to and refused by the family, the child may be placed in accordance with applicable legal procedures.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

3) Generally, the goal for children in placement is family reunification. When efforts toward achieving family reunification fail to result in a home environment that is consistent with the child's safety and well-being, a new permanent legal status and permanent living situation shall be sought in accordance with the child's needs.

b) Placement is Temporary

Placement is intended to be a temporary situation for the children during the time that the parents' ability to care for the child is being evaluated or the parents are receiving services to alleviate the problems in the home so the family can be reunited.

c) Legal Authority to Place

The Department shall not place children until it has the appropriate legal authority to do so. Such legal authority includes: temporary protective custody in accordance with the Abused and Neglected Child Reporting Act; an adoptive surrender(s) in accordance with the Adoption Act (Ill. Rev. Stat. 1987, ch. 40, par. 1501 et seq.); custody or guardianship in accordance with the Juvenile Court Act of 1987 (Ill. Rev. Stat. 1987, ch. 37, par. 7801-1 et seq.); or temporary custody with written consent of the parent(s) or, if the child is not in the custody of either parent, written consent of the guardian or custodian of the child, in accordance with **An Act "AN ACT Creating the Illinois Department of Children and Family Services codifying its powers and duties, and repealing certain Acts and Sections herein named"** (Ill. Rev. Stat. 1987, ch. 23, pars. 5005 et seq.). A written consent from a parent, guardian or legal custodian requesting temporary placement services for their child(ren) is known as a voluntary placement agreement. A voluntary placement agreement may be entered into for a maximum of 60 days and requires prior written approval of the administrator in charge of the Department region or his designee. A voluntary placement agreement may be renewed for an additional 60 days only with the prior non-delegable written approval of the administrator in charge of the Department region.

d) Emergency Placement

Emergency placement services shall be provided immediately when other services will not ensure the safety of the child when the Department has reason to believe:

- 1) that leaving the child in the home of his caretaker would present an imminent danger to the child's safety and well-being; or

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 2) that the parent(s) of a child who has been left unsupervised and is unable to care for himself cannot be readily located and emergency caretaker services are not available; or
- 3) that services directed toward keeping the family together would not sufficiently protect the child from life-threatening or severe physical injury and would, therefore, endanger the child's safety and well-being; or
- 4) that the child appears to be severely ill or injured and the parent or caretaker is unable to care for the child in this situation; or
- 5) the child is abandoned; or
- 6) the child is a runaway in accordance with 89 Ill. Adm. Code 329, Return of Runaway Children.

e) Placement Selection

Children who need placement shall:

- 1) be placed in the least restrictive setting which most closely approximates a family and in which the children's needs will be met; and
- 2) be placed within reasonable proximity to their homes, taking into account any special needs of the child and family and the availability of the service resources needed for the child and family; and
- 3) be placed, if possible, in a home that most closely approximates the religious and cultural background of the biological family; and
- 4) be placed in the home of a relative when the child can benefit from the relationship between the parent(s), the relative, and the child; and
- 5) be placed, if a child of American Indian heritage, according to criteria described in 89 Ill. Adm. Code 307, Indian Child Welfare Services.

f) Foster Family Home Care

- 1) Foster family home care is provided in licensed foster family homes for children who cannot remain home and who can benefit from a family structure of care. The Department shall have legal responsibility for the child before the child is placed in a foster family home.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 2) Although foster family home care is generally provided to children whose parents are unable or unwilling to protect or care for them, it is also available for hearing impaired children who require special education not available in their home communities. The Department is not legally responsible for the children receiving this unique placement service. Care is provided in cooperation with the Illinois State Board of Education.

g) Relative Home Care

Relative home care shall be explored for all children for whom the Department is legally responsible who need a family structured living arrangement. Placement shall be made only with relative caretakers approved by the Department as meeting the licensing standards for foster family home applicants. Refer to 89 Ill. Adm. Code 335, Relative Home Placement.

h) Residential Care

Residential care is provided in licensed group homes and residential care facilities (child care institutions and intermediate or skilled nursing care facilities). Group homes are considered to be a less restrictive environment than an institutional setting. Group home care is provided for teenagers unable to adjust to family living who need a less structured living situation than is provided in residential care facilities. Placement in a residential care facility shall be made only when no other less restrictive setting is appropriate for:

- 1) children requiring intensive services to change behaviors which significantly interfere with their ability to cope with daily life or which preclude placement in a family setting; or
- 2) children who require long term care on an ongoing basis in an intermediate or skilled nursing care facility because of a severe physical or mental handicap; or
- 3) children who require long term care on an ongoing basis because of a severe emotional handicap.

i) Sharing Appropriate Information with the Caretaker

- 1) At the time the Department places a child in foster care or other substitute care setting, the Department shall provide available information about the child necessary for the proper care of the child to the foster parent or other caretaker.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

2) This information includes:

A) The medical history of the child including known medical problems or communicable diseases.

B) The school history of the child, including any special educational needs.

C) The case history of the child, including how the child came into care, the child's legal status and the permanency goal for the child.

D) Other background information of the child, including behavior problems, habits, likes, dislikes, etc.

3) Information subject to the Mental Health and Developmental Disabilities Act, shall be shared only in accordance with 89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served by the Department, Section 431.7.

4) Information regarding AIDS, AIDS Related Complex (ARC) or HIV test results, shall be shared only in accordance with 89 Ill. Adm. Code 431, Confidentiality of Personal Information of Persons Served By the Department, Section 431.11.

5) When the above information is not available at the time of placement, the caretaker shall be given what information is available and advised that additional information will be provided when it is received.

(Source: Amended at 13 Ill. Reg., effective)

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

1) Heading of the Part: Engineering Grant Program

2) Code Citation: 23 Ill. Adm. Code 1025

3) Section Numbers: 1025.20
Proposed Action: Amendment
Amendment 1025.50

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 144, pars. 181, 189.13

5) A Complete Description of the Subjects and Issues Involved: Wording in the definition of "engineering college" is reordered, and the references to Department of Registration and Education are changed to Department of Professional Regulation. Also, the application date for grants is changed to provide for earlier allocation of grants.

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date? No.

8) Does this proposed amendment contain incorporations by reference? No.

9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments will be accepted up to 45 days from the date of publication of this notice and should be addressed to:

Carolyn Lorton
Illinois Board of Higher Education
500 Reisch Building
4 West Old Capitol Square
Springfield, Illinois 62701

12) Initial Regulatory Flexibility Analysis: Small colleges and/or universities that participate in the grant program could be considered small businesses. However, the proposed amendments do not increase application or reporting requirements already in existence.

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: September 12, 1989.

B) Types of small businesses affected: Colleges and universities.

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- C) Reporting, bookkeeping or other procedures required for compliance: No additional requirements.
- D) Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendments begins on the next page:

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER II: BOARD OF HIGHER EDUCATION

PART 1025
ENGINEERING GRANT PROGRAM

Section	Purpose
1025.10	Definitions
1025.20	Grant Amounts and Allocations
1025.30	Criteria for Grant Allocations
1025.40	Grant Requirements
1025.50	Audit Requirements and Guidelines

AUTHORITY: Implementing and authorized by Section 9.13 of "AN ACT creating a Board of Higher Education, defining its powers and duties and making an appropriation therefor, and repealing an Act herein named" (Ill. Rev. Stat. 1987, ch. 144, pars. 181, 189.13).

SOURCE: Adopted at 8 Ill. Reg. 16871, effective September 4, 1984; amended at 10 Ill. Reg. 7742, effective April 28, 1986; amended at ____ Ill. Reg. ____, effective ____.

Section 1025.20 Definitions

The following definitions apply to all terms used in this Part.

"Board" means Illinois Board of Higher Education.

"Engineering college" means a school, college, university, department of a university or other educational institution located in Illinois which grants baccalaureate degrees in engineering and which is reputable and in good standing in accordance with the rules prescribed by the Department of Registration and Education Professional Regulation, and which grants baccalaureate degrees in engineering.

"Engineering laboratory equipment" means equipment to be used in engineering programs and includes the acquisition, replacement or increase of visible tangible personal property of a non-consumable nature, with a unit value of \$51.00 or more, excluding laboratory or classroom furniture.

Engineering "software" means a computer program or programs used for teaching or research by an engineering college.

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

"Fair market value" is the price at which a willing seller and a willing buyer will trade at that point in time which the engineering equipment is donated to the college.

"Grant Year" shall be the fiscal year, from July 1 to the subsequent June 30, during which grant applications are submitted by the engineering college and grants are made by the Board.

"Matching funds" means:

either the fair market value of in-kind contributions of engineering laboratory equipment and software; or

any funds which were expended for engineering laboratory equipment or software, provided such funds were not appropriated by the General Assembly or did not result from tuition, fees or assessments.

(Source: Amended at ____ Ill. Reg. ____, effective ____.)

Section 1025.50 Grant Requirements

In order to receive a grant, an engineering college must submit a request to the Board by January 10 November 15 of each grant year. The grant request shall include:

- a) A list of students for which each Bachelor of Science degree in engineering was conferred between July 1 and June 30 of the year immediately prior to the grant year.
- b) A description of previously unmatched, matching funds, which description shall include:
 - 1) The fair market value of all in-kind contributions of engineering laboratory equipment and software, plus a list of such equipment and software and the date acquired.
 - 2) A list of all funds, including source, expended for engineering laboratory equipment and software, plus a list of such equipment and software and the date acquired.
 - 3) A list of all funds, including source, earmarked for the purchase of engineering laboratory equipment and software.
- c) An agreement to:
 - 1) Expend matching funds and grant funds in accordance with this Part.

BOARD OF HIGHER EDUCATION

- 2) Refund any grant funds which the engineering college was not eligible to receive pursuant to this Part or which were not spent in accordance with this Part.

- 3) Contract with an external auditor who is registered as a public accountant by the Illinois Department of Registration and Education Professional Regulation to verify that the requirements in this Part have been met.

- d) The reports of the audits of matching funds, grant funds, and the qualified engineering graduates for the prior year's grant. See Section 1025.60 for audit requirements and guidelines. Information may be obtained from the Illinois Board of Higher Education, 500 Reisch Building, 4 West Old Capitol Square, Springfield, Illinois 62701.

(Source: Amended at ____ Ill. Reg. ____, effective ____.)

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Health Services Education Grants Act

2) Code Citation: 23 Ill. Adm. Code 1020

3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1020.10	Amendment
1020.30	Amendment
1020.40	Amendment
1020.50	Amendment
1020.60	Amendment
1020.80	Amendment

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111-1/2, pars. 821 et seq.

5) A Complete Description of the Subjects and Issues Involved: The definition of eligible institutions is amended to make it clear that public and proprietary institutions are not eligible under the grant program. Classes of grants for nurse shortage areas and related language are eliminated. Instructions for determination of enrollment are amended to include specifications for institutions not granting credit hours and for educational programs offered by hospitals.

Language referencing audits is amended to read audit rather than audit report, and language is added indicating that auditors must be registered as public accountants with the Illinois Department of Professional Regulation. References to the Department of Registration and Education are changed to Department of Professional Regulation.

- 6) Will this proposed rule replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed amendment contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments will be accepted up to 45 days from the date of publication of this notice and should be addressed to:

Carolyn Lorton

Illinois Board of Higher Education

500 Reisch Building

4 West Old Capitol Square

Springfield, Illinois 62701

12) Initial Regulatory Flexibility Analysis: These rules affect small colleges and universities located in Illinois. The proposed amendments do not increase application or reporting requirements already in existence.

A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: September 12, 1989.

B) Types of small businesses affected: Colleges and universities.

C) Reporting, bookkeeping or other procedures required for compliance: No new requirements.

D) Types of professional skills necessary for compliance: None.

The full text of the Proposed Amendments begins on the next page:

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER II: BOARD OF HIGHER EDUCATION

PART 1020
HEALTH SERVICES EDUCATION GRANTS ACT

Section	
1020.10	Classes of Eligible Institutions
1020.20	Classes of Grants
1020.30	Definitions
1020.40	Grant Allocations
1020.50	Determination of Enrollment
1020.60	Conditions for Grants
1020.70	Application Forms
1020.80	Enrollment Audit Guidelines

AUTHORITY: Implementing and authorized by the Health Services Education Grants Act (Ill. Rev. Stat. 1987, ch. 111-1/2, pars. 821 et seq.).

SOURCE: Adopted April 15, 1976; amended at 4 Ill. Reg. 8, P.137, effective March 22, 1980; amended at 5 Ill. Reg. 2993, effective March 6, 1981; amended at 6 Ill. Reg. 5518, effective April 14, 1982; codified at 8 Ill. Reg. 1453; amended at 8 Ill. Reg. 16878, effective September 4, 1984; amended at 10 Ill. Reg. 7749, effective April 28, 1986; amended at 11 Ill. Reg. 5208, effective March 12, 1987; amended at _____, Ill. Reg. _____, effective _____.

Section 1020.10 Classes of Eligible Institutions

For purposes of this Act, public institutions and proprietary institutions shall not be considered non-profit Illinois institutions ~~shall be eligible~~ for grants. Eligible institutions shall be divided into the following classes:

- Class I Institutions - Colleges and universities offering medical education programs.
- Class II Institutions - Colleges and universities offering dental education programs.
- Class III Institutions - Colleges and universities offering optometric education programs.
- Class IV Institutions - Colleges and universities offering podiatric medical education programs.

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- Class V Institutions - Colleges and universities offering accredited masters level allied health education programs.
- Class VI Institutions - Colleges and universities offering the third and fourth years of accredited baccalaureate level allied health education programs.
- Class VII Institutions - Colleges, universities, and hospitals offering the last year of accredited allied health education programs which lead to either a certificate or associate degree.
- Class VIII Institutions - Colleges and universities offering accredited masters level nursing education programs.
- Class IX Institutions - Colleges and universities offering the third and fourth years of accredited baccalaureate level nursing education programs.
- Class X Institutions - Colleges offering the second year of accredited associate degree nursing education programs.
- Class XI Institutions - Hospitals offering the last two years of three-year accredited nursing education programs or the last year of two-year accredited nursing education programs.
- Class XII Institutions - Hospitals offering the first three years of accredited residency training in family practice, internal medicine, obstetrics/gynecology, and pediatrics programs which are affiliated with and under the educational supervision of public medical schools/colleges. Hospitals shall operate the residency program under written agreement with the medical school/college and such agreement must include at least the following criteria: the appointment of a program director and teaching staff, specific designation of educational program responsibilities for each party, and provision for facilities and space to be utilized for educational program activities.
- Class XIII Institutions - Colleges and universities offering the second year of accredited associate degree nursing education programs or the third and fourth years of accredited baccalaureate level nursing education programs after July 1, 1982, in a certified nurse shortage area.
- Class XIV Institutions - Hospitals offering the last two years of three-year accredited nursing education programs or the last year of two-year accredited nursing education programs after July 1, 1982, in a certified nurse shortage area.

(Source: Amended at _____ Ill. Reg. _____, effective _____.)

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Section 1020.30 Definitions

a) "Illinois resident" is defined as follows:

1) For a student to qualify as an Illinois resident, a student must be a lawful resident of the United States and meet one of the following two requirements:

- A) At least one parent, stepparent or court appointed guardian of the student must reside in Illinois; or
- B) The emancipated (self-supporting) student must have lived in Illinois, in some capacity other than as a student at a postsecondary educational institution, for a period of twelve continuous months immediately prior to enrollment in an Illinois postsecondary educational institution.

2) For a medical resident to qualify as an Illinois resident, the medical resident must be a lawful resident of the United States and meet the following requirements: The medical resident must be employed by a hospital affiliated with and under the educational supervision of a public medical school or college in Illinois and must be either a graduate of an Illinois medical school/college or a graduate of a high school, college or university located in Illinois and a graduate of a medical school or college located within the United States, the District of Columbia and the several territories.

3) The resident/non-resident category in which the student or medical resident is placed at the time of initial matriculation will hold for his or her entire education.

b) Certified-Nurse-Shortage-Area

A-certified-nurse-shortage-area means one which has been certified as such by the Director of the Department of Public Health.

cb) Minority Racial or Ethnic Group

Minority racial or ethnic group is defined to include the following groups:

- 1) Black (not of Hispanic origin) - A person having origins in any of the Black racial groups of Africa.
- 2) Hispanic - A person of Mexican, Puerto Rican, Cuban, Central or South American or other Spanish culture or origin, regardless of race.

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

3) American Indian or Alaskan Native - A person having origins in any of the original peoples of North America, and who maintains cultural identification through tribal affiliation or community recognition.

(Source: Amended at ____ Ill. Reg. ____, effective ____.)

Section 1020.40 Grant Amounts and Allocations

a) Grant Amounts

The maximum grant-amounts rate per Illinois resident enrollee for each class of institution shall be as follows:

Class of Institution	Class of Grants	Amount of Grant Not to Exceed
I	I	\$5,200
I	II	1,500
I	V	3,000
II	VI	3,700
II	II	1,000
II	V	2,000
III	VI	4,7992,400
IV	II	2,400
V	II	1,200
VI	III	1,200
VII	III	1,200
VIII	III	2,100
IX	III	4,0001,100
X	III	500600
XI	III	500600
XII	IV	6,200
XIII	###	400
XIV	###	400

b) Grant Allocations

Grant allocations to institutions shall be determined annually, based upon funds appropriated under the Health Services Education Grants Act, the grant amounts specified in Section 1020.40(a), and the actual number of Illinois residents enrolled in institutions eligible for grant support.

(Source: Amended at ____ Ill. Reg. ____, effective ____.)

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Section 1020.50 Determination of Enrollment

- a) The first day of the fourth full week of classes of the fall term shall be the date that the number of Illinois resident students enrolled and attending shall be determined for all Classes of Institutions except Class XII Institutions.
- b) For Class XII Institutions, the first of August shall be the date that the number of filled resident positions shall be determined.
- c) In the case of Class V, VI, VII, VIII, IX, X, and XI, ~~and XII~~ Institutions, the full-time-equivalent (FTE) undergraduate or graduate Illinois enrollment shall be reported. Undergraduate FTE enrollment shall be determined by dividing the total credit hours (or equivalent) by 15. For masters level programs, FTE enrollment shall be determined by dividing the total credit hours by 12. Any fraction of the program's total FTE will be dropped.

For institutions which do not grant credit hours, the credit hour value of each unit is obtained by dividing the number of units required for a typical baccalaureate degree into 120 for semester hour equivalency or 180 for quarter hour equivalency.

For educational programs offered by hospitals, an FTE student is a statistical unit based upon the typical full-time academic load. Of the normal academic load, a student taking three-fourths will account for .75 FTE, one-half will account for .5 FTE, and one-fourth will account for .25 FTE. Any fraction of the program's total FTE will be dropped.

- d) For Class VI, VII, IX, X, and XI, ~~and XII~~ Institutions, the classification of students by year shall be as follows:

- 1) First year - less than 30 semester hours (45 quarter hours)
- 2) Second year - 30-59 semester hours (45-89 quarter hours)
- 3) Third year - 60-89 semester hours (90-134 quarter hours)
- 4) Fourth year - 90 or more semester hours (135 or more quarter hours).

- e) If the institution does not grant credit hours, the equivalent classification of students by year shall be as follows:

- 1) First year - the equivalent of less than 30 semester hours in a typical baccalaureate degree program.

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 2) Second year - the equivalent of between 30-59 semester hours in a typical baccalaureate degree program.
 - 3) Third year - the equivalent of between 60-89 semester hours in a typical baccalaureate degree program.
 - 4) Fourth year - the equivalent of 90 or more semester hours in a typical baccalaureate degree program.
- f) For Class I, II, III, and IV Institutions, the following limitations on Illinois resident enrollment shall apply:
- 1) The maximum number of years a student may be counted for grants is four years.
 - 2) A student repeating any portion of the program may be counted only once in each of the four years.

(Source: Amended at Ill. Reg. _____, effective _____.)

Section 1020.60 Conditions for Grants

a) Application Requirements

~~In order to receive funds~~ To be eligible for a grant under this grant program, ~~an institutions will be required to~~ submit the following documents:

- 1) A certification of enrollments and graduates for the previous fiscal year.
- 2) A certification of enrollments for the current fiscal year.
- 3) An estimate of future enrollments.
- 4) A tabulation of minorities enrolled in the program.
- 5) A report on the location and activity of the previous year's graduates.
- 6) ~~Assurance~~ Certification of compliance with an open policy with respect to race, color, creed, sex and national origin.
- 7) An enrollment audit and a certified financial audit of the institution for its previous fiscal year performed by an external auditor who is registered as a public accountant by the Illinois Department of Professional Regulation. Section 1020.80 provides enrollment audit guidelines for external

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

auditors to conduct an enrollment audit and prepare this report.

- b) In the event that an enrollment audit reveals that an overpayment was made in a grant to an institution, one of the following courses of action will be followed:

- 1) A reduction will be made on the amount of the institution's grant in the following year.
- 2) A reimbursement to the State will be required.
- c) In the event that no enrollment audit report is submitted, an institution will be required to reimburse the State for the total amount of the grant.
- d) Underpayments of a previous fiscal year's grant revealed by an enrollment audit shall not be disbursed to an institution in subsequent year grants.

(Source: Amended at ___ Ill. Reg. ___, effective _____.)

Section 1020.80 Enrollment Audit Guidelines

- a) To fulfill the enrollment audit requirement in Section 1020.60(a) institutions shall contract with an external auditor who is registered as a public accountant by the Illinois Department of Registration and Education Professional Regulation.

- b) The auditor shall obtain a copy of the certification of enrollment document(s) included with the application materials and a copy of the Rules and Regulations Part 1020. To verify enrollment the auditor shall perform tests of institutional records to assure that information reported in the certification of enrollment document(s) is true, accurate and meets the requirements of these Rules and Regulations. Such tests should include at least the following steps:

- 1) Test residency status of students for compliance with the Illinois Resident definitions;
- 2) For Class I, II, IV, V, and VI Grants, test the classification level and number of Illinois resident students enrolled and in record of attendance on the date for the enrollment data;
- 3) For Class III Grants, test the classification level and the number of credit hours being earned by Illinois resident

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

students enrolled and attending classes of record on the date for the enrollment data;

- 4) For Class V and VI Grants, test the students claimed for compliance with the definition in Section 1020.30(c) for minority racial or ethnic group;
- 5) Trace the extensions and totals from the enrollment records to the certification of enrollment document(s).

(Source: Amended at ___ Ill. Reg. ___, effective _____.)

- 1) Heading of the Part: Illinois Financial Assistance Act for Nonpublic Institutions of Higher Learning
- 2) Code Citation: 23 Ill. Adm. Code 1000
- 3)

<u>Section Numbers:</u>	<u>Proposed Action:</u>
1000.10	Amendment
1000.30	Amendment
1000.40	Amendment
1000.60	Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1987, Ch. 144, pars. 1331-1338
- 5) A Complete Description of the Subjects and Issues Involved: Language in the application and certification requirements is amended to ensure that FTE students claimed for eligibility meet with the intent of the law, i.e., students claimed are enrolled at not-for-profit institutions as defined in the statute.

The reference to Higher Education General Information Survey (HEGIS) is updated to the Integrated Postsecondary Education Data Systems Survey (IPEDS). New language is added to clarify the fact that additional funds are not available to provide for underpayments identified by audits, and to clarify that audits rather than audit reports are required. References to the Department of Registration and Education are changed to the Department of Professional Regulation.

- 6) Will this proposed rule replace an emergency rule currently in effect?
No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed amendment contain incorporations by reference? No.
- 9) Are there any other proposed amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: This rulemaking does not affect units of local government.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Written comments will be accepted up to 45 days from the date of publication of this notice and should be addressed to:

Carolyn Lorton
Illinois Board of Higher Education
500 Reisch Building
4 West Old Capitol Square
Springfield, Illinois 62701

ILLINOIS REGISTER

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis: These rules affect small colleges and universities. The proposed amendments do not increase application or reporting requirements already in existence.
- A) Date rule was submitted to the Business Assistance Office of the Department of Commerce and Community Affairs: September 12, 1989.
- B) Types of small businesses affected: Colleges and universities.
- C) Reporting, bookkeeping or other procedures required for compliance: None.
- D) Types of professional skills necessary for compliance: No changes in compliance requirements.

The full text of the Proposed Amendments begins on the next page:

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER II: BOARD OF HIGHER EDUCATIONPART 1000
ILLINOIS FINANCIAL ASSISTANCE ACT FOR NONPUBLIC
INSTITUTIONS OF HIGHER LEARNING

Section

1000.10	Eligibility and Application Documentation
1000.20	Definitions
1000.30	Application Requirements
1000.40	The Formula for Funding
1000.50	Application Procedure
1000.60	Audit Guidelines for Enrollment and Non-Sectarian Use of Funds Audit

AUTHORITY: Implementing and authorized by the Illinois Financial Assistance Act For Nonpublic Institutions of Higher Learning (Ill. Rev. Stat. 1987, ch. 144, par. 1331-1338).

SOURCE: Adopted April 15, 1976; emergency amendment at 5 Ill. Reg. 951, effective January 13, 1981, for a maximum of 150 days; amended at 5 Ill. Reg. 5850, effective May 26, 1981; amended at 6 Ill. Reg. 5534, effective April 14, 1982; codified at 8 Ill. Reg. 1451; amended at 8 Ill. Reg. 16890, effective September 4, 1984; amended at 11 Ill. Reg. 5211, effective March 12, 1987; amended at _____ Ill. Reg. _____, effective _____.

Section 1000.10 Eligibility and Application Documentation

- a) The institution through the Chairman of its governing board or its Chief Executive Officers is required to certify that the institution operates privately, not-for-profit and that the majority of its undergraduate students are enrolled in programs which are at least two-year programs of collegiate grade directly applicable to the attainment of a baccalaureate degree. Institutions annually shall submit a catalog of programs and courses offered for the current academic year, and when necessary to establish that the institution is in conformity with standards substantially equivalent to those of the State-supported institutions of higher learning, the institution shall provide evidence that program credits are accepted for transfer by State-supported, baccalaureate degree granting institutions in Illinois.

- b) The institution through the Chairman of its governing board or its Chief Executive Officer shall certify that the governing board

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

possesses its own sovereignty, including final authority in all matters of local control, educational policy, choice of personnel, determination of program, and financial management. In addition, the institution must annually file its Articles of Incorporation and By-Laws with the Board of Higher Education.

- c) The institution through the Chairman of its governing board or its Chief Executive Officer shall certify that it maintains an open policy with respect to race, creed, and color in the admission of students, appointment of faculty and employment of staff. In addition, the institution must furnish the Board of Higher Education: a copy of the institution's policy for employment of faculty and staff; a sample copy of the institution's policy for employment of students; a copy of the institution's policy for admission of students; and a copy of the student admission application form and requirements for admission to the institution.

- d) The institution through the Chairman of its governing board or its Chief Executive Officer shall file annually with the Board of Higher Education a certified audit report-including an audit of the enrollment claimed for this grant program and an audit verification that grant funds have not been used for sectarian purposes.

- e) The institution through the Chairman of its governing board or its Chief Executive Officer shall participate in the Board of Higher Education's: annual Fall Enrollment Study; annual Student Financial Aid Study; annual Integrated Postsecondary Education Data Systems (IPEDS) Higher Education General Information Survey; and any other studies requested by the Board of Higher Education.

- f) The institution's Chief Executive Officer shall provide the list of names, addresses, classification and credit hours of each resident of Illinois claimed as a freshman, sophomore, junior, or senior enrolled at the institution and shall certify that that is a true and accurate representation of such enrollments and credit hours on the reporting date.

- g) The Board of Higher Education staff shall review application documents of all institutions for compliance with the eligibility requirements in the Illinois Financial Assistance Act For Nonpublic Institutions of Higher Learning. The Board of Higher Education staff may require additional documents or a meeting with institutional representatives to discuss questions about application documents.

- h) Institutions under the jurisdiction of "An Act providing for the regulation of privately operated colleges, junior colleges and universities" (Ill. Rev. Stat. 1985, ch. 144, pars. 121-135) and/or

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

"An Act to regulate the granting of academic degrees, diplomas and certificates by certain educational institutions, to provide penalties for the violation thereof and to make an appropriation therefor" (Ill. Rev. Stat. 198587, ch. 144, pars. 231-241) shall possess both operating authority and degree granting authority as required under those Acts before becoming eligible for a grant under the Illinois Financial Assistance Act For Nonpublic Institutions of Higher Learning (Ill. Rev. Stat. 198587, ch. 144, pars. 1331 et seq.).

(Source: Amended at Ill. Reg. _____, effective _____.)

Section 1000.30 Application Requirements

a) Format for Student Listing and Credit Hours Claimed

b) Illinois resident students enrolled in interinstitutional cooperative programs involving two private not-for-profit institutions may be claimed by only one institution. The institution that may claim students in such programs is the principal institution for the student's records and the one to which the students pay the institution's regular tuition and fees. A private not-for-profit institution which is involved in either a cooperative or contract program with a proprietary institution may not claim students in such programs.

c) Illinois resident students enrolled in interinstitutional cooperative programs involving a public institution may be claimed by the private institution if the private institution is the principal institution for the student's records and the one to which the student pays the institution's regular tuition and fees.

d) The list of names and addresses must coincide with the figures reported on the Enrollment Report Form. The list may be submitted in a machine readable form, a computer print-out, or a typed listing. The format for preparing and submitting the list on magnetic tape is available upon request from the Board of Higher Education staff. The format for preparing the list must include:

- 1) The name and address of each student claimed in alphabetical order by class level;
- 2) The total credit hours previously earned by each student, on the date of enrollment data;
- 3) The number of credit hours each student is enrolled in, on the date of enrollment data;

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

4) The institution's total number of lower division credit hours, and the total number of upper division credit hours, and the FTE calculation for lower division and upper division;

5) For those institutions having cooperative programs with another institution, either public or private, the list must identify the students being claimed who are enrolled in the cooperative program and identify the credit hours enrolled at each institution.

Agency Note: The Hospital Schools are not required to include (d)(2) and (3) of the above but shall submit a separate alphabetized list for each class level. The statement of equivalency shall appear at the beginning of each list.

Institutions that do not grant credit hours shall provide a statement of the equivalency to the student classification by semester hours.

e) Audit of Enrollment and Non-Sectarian Compliance

f) Institutions shall annually contract with their external auditors to (a) conduct an enrollment audit of the enrollment claimed for grant funds in this program and (b) to verify that grant funds have not been used for sectarian purposes and report the results to the Board of Higher Education.

g) Reductions and Reimbursements

1) A reduction will be made on the amount of an institution's grant when the enrollment audit report--from the previous fiscal year identifies an overpayment made for the previous fiscal year grant or where an audit report--fails to verify that grant funds were not used for sectarian purposes.

2) A reimbursement to the State will be required of any institution which does not continue to participate in the program when the enrollment audit report--from the previous fiscal year identifies an overpayment made for the previous fiscal year grant, when no enrollment audit report--is submitted, or where an audit report--fails to verify or is not submitted to verify that grant funds were not used for sectarian purposes.

3) Underpayments of a previous fiscal year's grant revealed by an enrollment audit shall not be disbursed to an institution in subsequent year grants.

(Source: Amended at Ill. Reg. _____, effective _____.)

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Section 1000.40 The Formula for Funding

- a) Institutional grants shall be determined by allocating the annual appropriation for this Act among the eligible institutions in accordance with a formula based on the number of full-time-equivalent (FTE) undergraduate, Illinois resident students enrolled at each eligible institution with double credit being given to the FTE of such students who are junior or senior (upper division) students at such institutions.
- b) Reductions will be made on an institution's grant where the enrollment audit report of the previous fiscal year identifies an overpayment made in that previous fiscal year.

(Source: Amended at Ill. Reg. _____, effective _____.)

Section 1000.60 Audit Guidelines for Enrollment and Non-Sectarian Use of Funds Audits

- a) To fulfill the enrollment and non-sectarian use of funds audit requirements in Section 1000.30 institutions shall contract with an external auditor who is registered as a public accountant by the Illinois Department of Professional Regulation, Registration and Education.
- b) The auditor shall obtain the following copies of the grant program application documents: the certified application form; the enrollment report form; the list of student names and addresses and credit hours; and these Rules and Regulations. To verify enrollment the auditor shall perform tests of institutional records to assure that information reported in the grant application materials is true, accurate and meets the requirements of these Rules and Regulations. Such checks should include at least the following steps:
 - 1) Test the residency status of students for compliance with the Illinois resident definition;
 - 2) Test the classification level and the number of degree/diploma/certificate credit hours being earned by Illinois students enrolled and attending classes of record on the date for the enrollment data;
 - 3) Trace the extensions and totals of Illinois resident student credit hours by class level from the institution's enrollment records to the grant application forms.
- c) A description of the enrollment audit procedure and calculations shall be included in the audit report.

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- d) To verify non-sectarian use of funds, the auditor shall perform tests of institutional records to ensure that sectarian activities have not been supported by grant funds. Sectarian activities are activities which further the religious interests of specific religions, denominations, or sects, and include, but are not limited to the following:
 - 1) Expenditures for a campus church, chapel, or temple;
 - 2) Expenditures for salaries, housing or other support for religious or denominational pastors, teachers, or chaplains except for remuneration for teaching of non-sectarian classes;
 - 3) Expenditures to host conferences, seminars or other religious/denominational meetings for either students or sponsoring religions or denominations;
 - 4) Grants to specific religious or denominational groups or grants, scholarships or fellowships for only members of such groups.

(Source: Amended at Ill. Reg. _____, effective _____.)

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

1) Heading of Part: General Rules and Regulations under the Campaign Financing Act

2) Code Citation: 26 Ill. Adm. Code 100

3) Section Numbers: Proposed Action:

100.20	Amendment
100.30	Amendment
100.40	Amendment
100.60	Amendment
100.70	Amendment
100.80	Amendment
100.100	Amendment

4) Statutory Authority: Implementing Article 9 of the Election Code (Ill. Rev. Stat., 1987, ch. 46, pars. 9-1 et seq.) and authorized by Section 9-15(3) of the Election Code (Ill. Rev. Stat., 1987, ch. 46, pars. 9-15(3)).

5) A Complete Description of the Subjects and Issues Involved:

Section 100.20 - This amendment reflects a change in the numbering system to conform with other section numbers currently in use.

Section 100.30 - This amendment will contain a new subsection giving notice of an automatic repeal date.

Section 100.40 - This amendment will require all records and statements which are maintained by the treasurer to remain the property of the political committee. Will assist in a smooth transition of officers of political committees.

Section 100.60 - This amendment reflects a change in the numbering system to conform with other section numbers currently in use, and clarifies filing obligations.

Section 100.70 - This amendment will delete the option allowing committees to file on their own fiscal years.

Section 100.80 - This amendment requires committees submitting computer printouts in lieu of Board forms to comply with standards compatible with microfilming.

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

Section 100.100 - Allows application to inspect campaign disclosure documents by mail, allows inspection of local committee records, and amends the identification requirements.

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does the rulemaking contain an automatic repeal date? Yes, only as to Section 100.30 which will be repealed July 1, 1990.

8) Do these proposed amendments contain incorporations by reference? Yes, Section 100.100 incorporated by reference Section 1-109 of the Ill. Rev. Stat., ch. 110.

9) Are there any other proposed amendments pending on this Part? No.

10) Statements of Statewide Policy Objectives: The proposed amendment neither creates nor expands any state mandate on units of local government, school districts, or community college districts.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this notice to the

State Board of Elections
A. L. Zimmer, General Counsel
State of Illinois Center
100 West Randolph Street
Suite 14-100
Chicago, IL 60601
(312) 917-6440

or at a Public Hearing to be held on September 29, 1989 at the State Board of Elections Springfield office located at 1020 South Spring Street, Springfield, Illinois and on October 6, 1989 at the State of Illinois Center, 100 West Randolph Street, Chicago, Illinois. Please contact the Board's office for verification of hearing time, room and date.

12) Initial Regulatory Flexibility Analysis:

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: September 6, 1989.
- B) Types of small business affected: None.
- C) Reporting, bookkeeping or other procedures required for compliance: None.
- D) Types of professional skills necessary for compliance: Knowledge of Election Law; applies only to State Board of Elections members and Board employees.

The full text of the Proposed Amendments begins on the next page:

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

TITLE 26: ELECTIONS
CHAPTER 1: STATE BOARD OF ELECTIONS

PART 100

GENERAL RULES AND REGULATIONS UNDER
THE CAMPAIGN FINANCING ACT

Section
100.10
100.20
100.30
100.40

Definitions
Official Forms
Forwarding of Documents
Vacancy in Offices
Records
Multiple Filings by State and Local Committees
Filing Option for a Federal Political Committee
Reports of Contributions and Expenditures
Report Forms
Provision Circumvention
Proof of Identification; Application for Inspection and Copying

100.50
100.60
100.70
100.80
100.90
100.100

AUTHORITY: Implementing Article 9 of the Election Code (Ill. Rev. Stat., 1987, ch. 46, par. 9-1 et seq.) and authorized by Section 9-15(3) of the Election Code (Ill. Rev. Stat., 1987, ch. 46, par. 9-15(3)).

SOURCE: Amended at 5 Ill. Reg. 1337, effective January 30, 1981; amended at 5 Ill. Reg. 12115, effective October 26, 1981; codified at 6 Ill. Reg. 7211; amended at 7 Ill. Reg. 225, effective December 6, 1982; amended at Ill. Reg. , effective

Section 100.20 Official Forms

- a) Reference: This Part interprets or applies Section 9-1.5.1 of the Election Code.
- b) Political committees are required to use only the official forms or photostatic copies of official forms and appropriate schedules approved by the State Board of Elections when filing any disclosure reports except as otherwise permitted under Part 206. Part 100.80. Alternative methods of reporting are prohibited unless prior written approval has been received by the political committee from the State Board of Elections. Prior written approval will

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

be given based on the compatibility of alternative methods with the Board's present system.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 100.30 Forwarding of Documents

- a) Reference: This Part interprets or applies Section 9-15(3), 9-18 and 9-19 of the Election Code.
- b) County clerks shall within 60 days after the close of the filing period forward a copy of campaign disclosure documents to the State Board of Elections Campaign Disclosure Division.
- c) Furthermore, county clerks shall within 5 days after the close of the Pre-election Report filing period forward to the State Board of Elections Campaign Disclosure Division a detailed list indicating the name and address of all political committees who have filed the Pre-election Report under the Illinois Campaign Financing Act. As an alternative a county clerk may submit photostat copies of all those reports filed with them pursuant to the Illinois Campaign Financing Act in lieu of any other requirements herein so long as it is within the prescribed deadlines as stated above. In addition, they shall submit within 45 days after the close of the Post Election and Annual Report filing periods a detailed list to the State Board of Elections indicating the name and address of all political committees who have filed pursuant to the Campaign Financing Act filing deadlines.

- d) Campaign disclosure documents as used in this rule shall include all Statements of Organization (Form D-1) and all Statements of Disclosure (Form D-2) and all other reports and attachments disclosing receipts or expenditures.

e) This section is repealed on July 1, 1990.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 100.40 Vacancy in Offices Vacancies in Office - Custody of Records

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

Reference: This Part interprets or applies Section 9-2, 9-5, 9-7, 9-10 and 9-15 of the Election Code.

a) Death

Upon the death of the treasurer of a committee, the candidate or, if such candidate is unable or unwilling to act, the remaining officers of the committee shall appoint a new treasurer and so amend the Statement of Organization (Form D-1) within 10 days of the date of the death of the treasurer. In the event there is no candidate or remaining officers of the committee, the person or persons who succeed to the interests of the committee in its funds shall be responsible for filing all appropriate reports until such time as new officers are chosen or the committee terminates.

b) Removal from Office

In the case of a single candidate related committee whose officers were originally named by the candidate, the candidate shall have the right to remove any and all officers of this committee, provided such removal be done in writing and that the candidate comply with all requirements of the Act in the absence of officers for his candidate related committee. If a candidate removes from office any or all officers of his committee, all records related to the committee shall be maintained by the candidate. If former officers request, he shall allow them access to records and provide reasonable opportunity to make copies.

c) Resignation

If the treasurer and all other officers resign and no new officers are appointed, the former treasurer and officers or, in the case of candidate related committees, the candidate, shall be responsible for terminating the committee. When an individual vacates the position of treasurer, he shall verify the accuracy of his or her records to the succeeding treasurer. The succeeding treasurer shall not be held responsible for the veracity or accuracy of the records of the predecessors.

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

d) Inability to Sign

All reports shall be verified, dated and signed by either the treasurer of the political committee making the statement or the candidate on whose behalf the statement is made. However, should it be impossible for the political committee to obtain the signature of the treasurer or candidate prior to the filing deadlines, then another may sign for the treasurer, provided that the treasurer submits a letter within 30 days of the filing indicating that such substituted signature is authorized and the treasurer accepts responsibility as if he had signed. The substituted signature shall read, "treasurer's name, by name of person signing." If the treasurer failed to submit a letter within 30 days, then the report filed shall be considered a non-filing.

e) All reports, original reports, and other campaign documents required to be kept by a political committee under Article 9 of the Election Code remain the property of the political committee. No chairman, treasurer, or candidate shall have any proprietary or possessory interest in such documents in derogation of the rights of the committee itself.

f) If any political committee changes any officers, all records, statements and reports in the possession of the outgoing officers shall be transferred within ten (10) days following such change to the person or persons newly responsible for the maintenance of those records and/or the filing of reports.

g) If any outgoing officer fails to turn over the records in his or her care to a successor, in accord with this Part, or if any officer attempts to withhold records from other officers of the committee, the committee chairman, the treasurer, or the candidate may file a complaint before the Board requesting a turnover order.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 100.60 Filing Option for a Federal Political Committee

a) Reference: This Part interprets or applies Section 9-15 of the Election Code.

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

b) Any "persons or whoever" as defined by the Illinois Campaign Financing Act, qualifying as a political committee under such Act, may choose to comply with the provisions of the Illinois Campaign Financing Act by simultaneously filing all Federal Election Commission reports with either the State Board of Elections, county clerk, or both, as the case may be.

c) A political committee may choose to file reports pursuant to this regulation, either by amendment or for the first time, by stating on ~~Part~~-7 Part 6 of the Statement of Organization (Form D-1) the following: "Campaign financing reports will be filed pursuant to Section 100.60 (26 Ill. Adm. Code Section 100.60), Campaign Financing Regulations, State Board of Elections."

d) A political committee filing reports pursuant to this regulation for the first time shall additionally file a copy of its last regular report on file with the Federal Election Commission.

e) A federal political committee, also qualifying as a state political committee under the Illinois Campaign Financing Act, shall simultaneously file a copy of all Federal Election Commission reports with the State Board of Elections

f) A federal political committee, also qualifying as a local political committee under the Illinois Campaign Financing Act, shall simultaneously file a copy of all Federal Election Commission reports with the local county clerk and the State Board of Elections.

g) This regulation shall not authorize any person to receive or expend in Illinois an anonymous contribution on behalf of or in opposition to a candidate covered by the Illinois Campaign Financing Act, or in support of or in opposition to a question of public policy.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 100.70 Reports of Contributions and Expenditures

a) Reference: This Part interprets or applies Section 9-10 of the Election Code.

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

b) For purposes of determining the amount of contributions of \$500 or more under Section 9-10 of the Act, all contributions received between the last date of the period covered by the last report filed prior to the election and the election from a single person, as such is defined in Section 9-1.6, shall be aggregated and treated as one.

e) ~~The Annual Report of a political committee that is a regularly constituted state central committee, county central committee, or in counties with a population of more than 37,000, a township or ward organization of a political party which has elected to use a fiscal year other than June 30th, pursuant to Section 9-10 of the Act, shall be filed no later than 30 days after such fiscal year ends. In such cases the committee shall notify the State Board of Elections of its intent to use a different fiscal year prior to the first day of the fiscal year which the committee intends to use.~~

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 100.80 Report Forms

a) Reference: This Part interprets or applies Section 9-16 of the Election Code.

b) All reports submitted by political committees pursuant to the Act shall either be typed or printed legibly in black ink.

c) Computer sheets filed in lieu of forms or schedules shall not exceed 8 1/2" x 14". They may be rejected if the size of the type or if contrast between page and type is insufficiently strong enough to microfilm.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 100.100 Proof of Identification; Application for Inspection and Copying

a) Reference: This Part interprets or applies Section 9-15.1 of the Election Code.

b) Every person requesting to examine a statement or report must first fill out the file a Request for

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

Inspection, Form D-3, ~~in person~~, either in the Springfield or Chicago office and must provide proof of identity if the request is made in person. Public inspection of documents is available ~~during regular business hours~~ at both offices during regular business hours. Request for inspection of local political committees must be filled out in person in the office of the appropriate county clerk and that person must provide proof of identity.

c) Application to inspect and copy statements and reports may be made by mail by submitting a Request for Inspection form accompanied by a signature of the applicant verified in a form acceptable under Section 1-109 of the Illinois Code of Civil Procedure, and by paying the appropriate fee; provided that requests submitted by a government agency; either federal, state, or local, need not be acknowledged if accompanied by a statement on stationary bearing the Agency letterhead, and that the request is made for lawful official purposes. Application forms will be furnished in blank to persons who request them by telephone or in writing.

d) Examples of proof of identification are:

1) drivers license;

2) ~~birth certificate~~;

2) student identification;

3) ~~voter registration~~.

3) employee identification.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Miscellaneous
- 2) Code Citation: 26 Ill. Adm. Code 207
- 3) Sections Numbers: Proposed Action:
207.120 New
Appendix C New
- 4) Statutory Authority: Implementing Article 19 and authorized by Section 1A-8(4) of the Election Code (Ill. Rev. Stat., 1987, Ch. 46, pars. 1A-8(4)).

5) A Complete Description of the Subjects and Issues Involved:

Requires the use of State Board of Elections Form A-5 by all electors applying to vote by absentee ballot under the provision of Article 19 of the Election Code

- 6) Will this proposed rule replace an emergency rule currently in effect? No

- 7) Does the rulemaking contain an automatic repeal date? No

- 8) Do these proposed amendments contain incorporations by reference? No

- 9) Are there any other proposed amendment pending on this Part? Yes, Amendments have been proposed for Section 207.70, 207.80, and 207.90. New Section 207.110, together with new Appendix B has been prepared for adoption, but may be withdrawn prior to adoption.

10) Statement of Statewide Policy Objectives:

Mandates that all election authorities supply the State Board of Elections' Form A-5 to all electors applying to vote as absentee electors under Article 19 of the Election Code.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this notice to the

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

- State Board of Elections
A. L. Zimmer, General Counsel
State of Illinois Center
100 West Randolph Street
Suite 14-100
Chicago, IL 60601
(312) 917-6440

or at a Public Hearing to be held on September 29, 1989 at the State Board of Elections' Springfield Office located at 1020 South Spring Street, Springfield, Illinois on October 6, 1989 at the State of Illinois Center, 100 West Randolph Street, Chicago, Illinois. Please contact the Board's office for verification of hearing time, room and date.

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: September 6, 1989

- B) Types of small businesses affected: None

- C) Reporting, bookkeeping or other procedures required for compliance: None

- D) Types of professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

TITLE 26: ELECTIONS

CHAPTER I: STATE BOARD OF ELECTIONS

Part 207
MISCELLANEOUS

Section	
207.10	Failure to Nominate Candidate
207.20	Notice of Primary Election -- County of 500,000 or More
207.30	Document Copying Fees
207.40	County Clerk Notifications to State Board of Elections of Certain Filings for Office
207.50	Deputy Registrars; Definition of Bonafide State Civic Organization
207.60	Chad Removal
207.70	Post Tabulation Testing
207.80	Notation of Straight Party Tickets and of Overvotes and Undervotes by Electronic Voting Systems
207.90	Reporting of Errors in Vote Tabulation Where Electronic Voting Systems Are In Use
207.100	Requirements for Operator's Log
207.120	Application for Ballot by Absentee Electors
APPENDIX A	Log for Vote Tabulation
APPENDIX C	FORM A-5

AUTHORITY: Implementing Articles 19 and 24A and authorized by Section 1A-8(4) and 1A-8(9) of the Election Code (Ill.Rev.Stat., 1985, ch. 46, pars. 19-1 et seq. and 1A-8(4) and (9) 24-1 et seq. and 1A-8(9)).

SOURCE: Adopted at 2 Ill.Reg. 25, p.70, effective July 3, 1978, codified at 6 Ill.Reg. 7219; amended at 6 Ill.Reg. 8976, effective July 12, 1982; amended at 8 Ill.Reg. 24560, effective December 6, 1984; amended at 11 Ill.Reg. 18660, effective October 30, 1987, amended at 13 Ill.Reg. _____, effective _____.

SECTION 207.120 Application for Ballot by Absentee Electors

a) All electors applying to vote under the provisions of Article 19 of the Election Code shall make application to so vote on State Board of Elections Form No. A-5 ("SBE A-5").

b) The several county clerks and Boards of Election Commissioners of Illinois shall supply form SBE A-5 to such

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

electors of their jurisdictions who indicate their desire to vote as absentee voters.

- c) Form SBE A-5 is included herewith as Appendix C to this part and is incorporated herein by reference.
- d) All electors applying to vote as absentee voters under any provision of Article 20 of the Election Code shall apply upon forms authorized therein.

(Source: Added at 13 Ill. Reg. _____, effective _____)

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

APPENDIX C

SBE No. A-5

Voter Code	Ballot Style	Enter Voters	
		Consecutive Number	Judge's Initials
For Election Authority's Use Only		For Judge's Use Only	

Chapter 46; Sec.

3-2, 19-3 & 29-10

Illinois Revised Statutes

STANDARD APPLICATION FOR ABSENT VOTER'S BALLOT

(In lieu of the separate application, the election authority may use the Standard Form for all categories of absentee voters)

To be voted at the _____ election in the County of _____
and State of Illinois, in the _____ precinct of the (1)
*township of (2) *City of _____ or (3) * ward in
the City of _____.

I state that I am affiliated with the _____ party
(to be used in primary elections) and that I am a resident of the
precinct of the (1) *township of _____ (2)
*City of _____ or (3) * ward in the City of _____
residing _____
_____ in such street or town
(street address)

in the county of _____ and State of Illinois; that I have
lived at such address for _____ months last past; that I am
lawfully entitled to vote in such precinct at a
election to be held therein on _____;
and that I will be unable to vote in person at the polls of such
precinct for the following reasons:

(Check One)

- ☐ I expect to be absent from my county of residence. (I am a
Federal or State Employee).
- ☐ I expect to be temporarily absent from the country.

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

☐ I shall be serving as a judge of election in the
precinct which is not my precinct of residence.
☐ I shall be observing a religious holiday.

☐ I shall be performing official election duties for an
Election Authority _____ or the
State Board of Elections.

☐ (election authority) (location)
I shall be performing election law enforcement duties in the
employment of _____.

☐ I am physically incapacitated. (If available, enter Voter
I.D. Number previously issued) _____ Reason for
disability _____

☐ I am temporarily abiding in the (1) *township of _____
(2) *city of _____ and State of _____
to the fact I am a student attending an institution of higher
education.

☐ I have been called for Jury Duty on said day by
_____ (court jurisdiction).

I hereby make application for an official ballot or ballots
to be voted by me at such election and agree that I shall return
the ballot or ballots to the election official issuing the same
in sufficient time for such official to deliver the ballot or
ballots to the proper polling place prior to the closing of the
polls on the date of election.

Under penalties as provided by law pursuant to Section 29-10
of the Election Code, the undersigned certifies that the
statements set forth in this application are true and correct.

I request ballot for: _____ Party.
(if for a primary)

(Signature of Applicant)

*fill in either (1), (2) or (3).

(Name of Applicant -
please print)

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

Address to which ballot is mailed:

(Source: Added at _____ Ill. Reg. _____,
effective _____)

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of Part: Practice and Procedure
2) Code Citation: 26 Ill. Adm. Code 125

- 3) Section Numbers
125.5
125.90
125.95
125.170
125.190
125.195
125.199
125.245
125.250
125.252
125.253
125.254
125.255
125.260
125.262
125.270
125.272
125.275
125.340
125.420
125.425
125.510
125.520
125.530
125.540
125.610
- Proposed Action:
Amendment
Amendment
Amendment
Amendment
Amendment
Amendment
Repeal
Amendment
New Section
New Section
Repeal
Repeal
Amendment
Amendment
Amendment
Repeal
Amendment
New Section
Repeal
Amendment
Amendment
Repeal
Amendment
Repeal
Amendment
Repeal
Amendment
Repeal
Amendment

- 4) Statutory Authority: Implementing Article 9 and authorized by Sections 1A-8(9), 9-15(3), 9-21 and 9-23 of the Election Code (Ill. Rev. Stat., 1987, ch. 46, pars. 1A-8(9), 9-15(3), 9-21 and 9-23).

- 5) A Complete Description of the Subjects and Issues Involved:

26 Ill. Adm. Code Part 125, especially Subpart B, has been extensively revised to change the procedures of closed preliminary hearings, required by Section 9-21 of the Election Code, from an adversary proceeding to a fact-finding one.

Replacing an adversarial closed preliminary hearing with an investigative one will eliminate the need for one Hearing Examiner, reducing cost to the Board, and freeing the Board

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

from the Hearing Examiner's schedule. The proposed revisions replace the Hearing Examiner with an officer known simply as the Examiner who is to keep minutes of the closed preliminary hearing, prepare a by-standers report, and recommend to the Board if justifiable grounds exist for the filing of the complaint. The Examiner, appointed by the Executive Director will typically be a Board staff member. The hearing may be informally conducted and will normally be inquisitorial, the Examiner taking the lead to elicit evidence that grounds for the Complaint do or do not exist. Both the complainant and the respondent may offer evidence and comment. The respondent may be represented by Counsel. No verbatim records will be kept; but minutes will be kept and a report prepared from the minutes. The Examiner will neither rule upon nor comment upon questions of law, but will report the raising of such questions by the parties to the Board. Under the proposed revision, the General Counsel is required to recommend decisions on points of law to the Board, and may, but is not required to comment on evidence.

If the Board finds the complaint was filed on justifiable grounds, an adversarial public hearing will be held, unless the matter is otherwise settled. The public hearing is unchanged under the proposed revisions and provides the usual and appropriate safeguards of, inter alia, an independent attorney Hearing Examiner; rights to adduce evidence and to confront and cross examine witnesses; verbatim transcription of testimony; and the right to be represented by counsel. As before, the complainant bears the burden of adducing proof sufficient to demonstrate a violation of the act be a preponderance of the evidence.

Subpart A of Part 125 contains provisions applicable to all hearings conducted under Article 9 of the Election Code. Revisions are necessary in the rules 125.5, 125.90, 125.95, 125.170, 125.190, 125.195 and 125.199 to delete references to closed preliminary hearings, or to exempt closed preliminary hearings from the general operation of rules that explicitly or by implication require an adversary process.

Subpart B

125.245 - Provides for the prompt appointment of a non-attorney Examiner, after the filing of a complaint. The Executive Director appoints the Examiner.

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

125.252 - Provides that the Examiner shall conduct the closed preliminary hearing, which need not be adversarial in nature. The Examiner may examine witnesses and admit proofs unrestricted by rules of evidence applicable in a court of record. The Examiner may admit and rely on the kind of information a person of ordinary probity would rely on in the management of his own affairs. The Examiner must keep minutes and prepare a recommendation, but shall not pass on issues of law. The parties may settle the matter, subject to the Board's approval, prior to the submission of the recommendation and minutes. The complainant bears the burden of demonstrating justifiable grounds for filing the complaint.

125.253 - New. Provides that the General Counsel shall review the minutes of the closed preliminary hearing for questions of law and evidence; offer his remarks on questions of law, and in his discretion on questions of evidence; and promptly transmit his remarks and recommendations to the Board.

125.254 - New. Provides for an opportunity for Respondents to come into compliance with the statutes and rules, and to settle cases subject to Board approval. Sets standards for stipulations and standing orders, including fines and their enforcement. The text of this new rule is substantially identical to that of present rule 125.530, except for the substitution of the terms "closed preliminary hearing" for "compliance conferences" in line one of the present rule 125.530.

125.255 - Repeal.

125.260 - Repeal.

125.262 - Amends present rule to delete reference to the Hearing Examiner. The proposed rule also deletes subpart 125.262(b) and (c), which establish time lines for Board action. The proposed rule retains the option of Board decision by conference call.

125.270 - Amends present rule of same number to delete references to a transcript of proceedings as constituting part of the record on administrative review unless the respondent has prepared such a transcript. Further provides for authority to seek leave to file the record in camera.

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

125.272 - Deletes fixed time requirements for conducting a public hearing.

125.275 - Repealed. Removes additional fixed time requirement for holding public hearings.

125.340 - Deletes reference to Subpart B hearings as adjudicatory hearings.

125.420 - Provides that business days shall be counted in assessing Board penalties for late filings in violation of orders or stipulations.

125.425 - Provides for the automatic imposition of fixed penalties for violation of Board Orders and Stipulations. Right of appeal is provided.

125.510 - Repealed. Deletes reference to present Subpart E as a separate subpart of Part 125.

125.520 - Amends present rule concerning notice given to political committees of their failure to file required reports. Allows notice to be given by first-class mail. Reduces the continuance to obtain compliance from 60 days to 30 days.

125.530 - Deletes sub-paragraphs (b), (c), and (d), which contain provisions now included in 125.254.

125.540 - Repealed. Matters treated in this rule are, to the extent they survive, now found in Section 125.245.

125.610 - Amends present rule to except closed preliminary hearings from inclusion in Subpart E.

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does the rulemaking contain an automatic repeal date? No.

8) Do these proposed Amendments contain incorporations by reference? No.

9) Are there any other proposed Amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives: The proposed

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

amendments neither creates nor expounds any state mandate on units of local government, school districts, or community college districts.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Interested persons may present their comments concerning this proposed rulemaking in writing within 45 days after publication of this notice to the

State Board of Elections
A. L. Zimmer, General Counsel
State of Illinois Center
100 West Randolph Street
Suite 14-100
Chicago, IL 60601
(312) 917-6440

or at a Public Hearing to be held on September 29, 1989, at the State Board of Elections Springfield office located at 1020 South Spring Street, Springfield, Illinois and on October 6, 1989 at the State of Illinois Center, 100 West Randolph Street, Chicago, Illinois. Please contact the Board's office for verification of hearing time, room and date.

12) Initial Regulatory Flexibility Analysis:

A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: September 6, 1989.

B) Types of small business affected: None.

C) Reporting, bookkeeping or other procedures required for compliance: None.

D) Types of professional skills necessary for compliance: Knowledge of Election Law; applies only to State Board of Elections' members and Board employees.

The full text of the Proposed Amendments begins on the next page:

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

TITLE 26: ELECTIONS
CHAPTER I: STATE BOARD OF ELECTIONSPART 125
PRACTICE AND PROCEDURE

SUBPART A: DEFINITION AND GENERAL PROVISIONS

Section		Additional
125.5	Applicability	
125.10	Definitions	
125.15	Board Offices and Business Hours	
125.20	Documents Pertaining to Hearings	
125.30	Form of Documents	
125.40	Service of Documents	
125.50	Computation of Time	
125.55	Time of Notices	
125.60	Appearances	
125.70	Non-Legal Assistance	
125.75	Parties	
125.80	Answer	
125.90	Qualifications of Hearing Examiner	
125.95	Authority of Hearing Examiner	
125.100	Disqualification of Hearing Examiner	
125.110	Motions	
125.115	Consolidation and Severance of Claims:	Additional
	Parties	
125.120	Amendments	
125.130	Intervention	
125.140	Settlement Pursuant to Conference	
125.150	Record of Conferences	
125.160	Continuances	
125.170	Order of Proceedings	
125.175	Failure of Party to Appear	
125.180	Evidence	
125.185	Official Notice	
125.190	Examination of Adverse Party or Agent	
125.192	Participation by Board Members and Staff	
125.195	Hostile Witnesses	
125.197	Admission of Business Records in Evidence	
125.199	Compelling Appearance at Hearing	

SUBPART B: CLOSED PRELIMINARY HEARINGS

Section	
125.210	Applicability

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

125.220	Commencement of Proceedings
125.230	Form of Complaint
125.235	Board Members as Complainants
125.240	Service of Complaint
125.245	Appointment of Hearing Examiner - Notice--of--Closed Preliminary Hearing Order of Closed Preliminary Hearings (Repealed)
125.250	Scope of Preliminary Hearing - Procedures - Evidence
125.252	Responsibilities of the General Counsel
125.254	Stipulated Settlement
125.255	Transcript of Preliminary Hearing (Repealed)
125.260	Report of Hearing Examiner (Repealed)
125.262	Board Determination
125.265	Judicial Review
125.270	Record of Preliminary Hearing on Appeal <u>Administrative Review</u>
125.272	Order of Public Hearing
125.275	Time and Conduct of Public Hearing (Repealed)

SUBPART C: PUBLIC ADJUDICATIVE HEARINGS

Section	
125.310	Applicability
125.320	Initiation of Hearings
125.330	Appointment of Hearing Examiner
125.340	Notice of Hearing
125.350	Discovery Procedures
125.365	Subpoenas
125.370	Transcript of Proceedings
125.380	Official Record
125.390	Briefs and Oral Argument

SUBPART D: FINAL ORDERS

Section	
125.410	Hearing Examiners Report
125.420	Order of the Board; Civil Penalties
125.425	Civil Penalty Assessment
125.430	Enforcement Actions in the Circuit Court
125.440	Reconsideration

SUBPART E: INVESTIGATIONS, INQUIRIES AND HEARINGS
PURSUANT TO SEC. 9-18

Section	
125.510	Applicability (Repealed)
125.520	Staff Review and Enforcement of Reporting Requirements

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

125.530 Compliance Conference
 125.540 Staff Initiated Complaint (Repealed)
 125.550 Investigations, Inquiries or Hearings

SUBPART F: RULEMAKING AND NON-ADJUDICATIVE HEARINGS

Section
 125.610 Applicability
 125.620 Adoption of Rules or Regulations
 125.630 Non-Adjudicative Hearings
 125.640 Notice of Hearing
 125.650 Conduct of Hearing
 125.660 Examination of Witness
 125.670 Record
 125.680 Report of Hearing

SUBPART G: ADVISORY OPINIONS

Section
 125.710 Advisory Opinions
 125.720 Reconsideration of Advisory Opinions
 125.730 Public Availability of Advisory Opinions
 125.740 Conflict Between this Part and the APA

SUBPART H: MISCELLANEOUS PROVISIONS

Section
 125.810 Ex Parte Communications
 125.820 Effective Date
 125.830 Interpretation
 125.840 Severability

AUTHORITY: Implementing and authorized by Sections 1A-8(9), 9-15(3), 9-21 and 9-23 of the Election Code (Ill. Rev. Stat., 1983, ch. 46, pars. 1A-8(9), 9-15(3), 9-21 and 9-23).

SOURCE: Adopted at 5 Ill. Reg. 12115, effective October 26, 1981; amended at 7 Ill. Reg. 230, effective December 16, 1982; amended at 7 Ill. Reg. 239, effective December 16, 1982; amended at 7 Ill. Reg. 15803 and 15810, effective November 9, 1983; codified at 8 Ill. Reg. 3278; amended at 9 Ill. Reg. 4050, effective March 14, 1985; amended at ___ Ill. Reg. ___, effective _____.

SUBPART A: DEFINITIONS AND GENERAL PROVISIONS

Section 125.5 Applicability

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

This Subpart A shall apply to the practices and procedures of the State Board of Elections, and all proceedings conducted by the Board under Subpart A. This Part is not intended to apply to State Electoral Board hearings, or to proceedings under Subpart B of this Part (closed preliminary hearings) where any provisions of Subpart B makes a more specific or contradictory provision to anything contained in Subpart A.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 125.90 Qualifications of Hearing Examiner

Whenever possible a person appointed Hearing Examiner for any an adjudicatory proceeding conducted pursuant to this Part shall be a licensed attorney. Unless all parties to the proceeding so stipulate, the Hearing Examiner who conducted the closed preliminary hearing shall not conduct the public hearing. Closed preliminary hearings are deemed non-adjudicatory by this Part and by 125.245.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 125.95 Authority of Hearing Examiner

The Hearing Examiner has the authority to conduct and preside over an adjudicatory hearing, to take all necessary action to avoid delay, to maintain order, to ensure compliance with all notice requirements, and to ensure the development of a clear and complete record. He shall have all powers necessary to conduct a fair and impartial hearing including, but not limited to, the power to:

- a) Administer oaths and affirmations;
- b) Regulate the course of hearings, set the time and place for continued hearings, fix times for filing of documents, provide for the taking of testimony by depositions if necessary, and in general conduct the proceedings, according to recognized principles of administrative law and the provisions of this Part;
- c) Examine witnesses and direct witnesses to testify, limit the number of times any witness may testify, limit repetitions or cumulative testimony, and set reasonable limits on the amount of time each witness may testify;

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

- d) Rule upon offers of proof and receive relevant evidence;
- e) Direct parties to appear and confer for the settlement or simplification of issues, and otherwise conduct pre-hearing conferences;
- f) Dispose of procedural requests or similar matters;
- g) Issue orders relating to pre-hearing discovery to the extent authorized by and permitted under this Part.
- ~~h) In connection with a closed preliminary hearing, make a recommendation to the Board on whether or not a complaint appears to have been filed on justifiable grounds;~~
- ~~i) In connection with a public hearing on a complaint, render proposed Findings of Fact and Conclusions of Law and make recommendations for a final order of the Board;~~
- ~~j) Enter any order that further carries out the purpose of this Part;~~
- ~~k) Issue subpoenas and rule upon objections to subpoenas and discovery orders;~~
- ~~l) Consider and rule upon all motions presented in the course of the proceedings.~~

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 125.170 Order of Proceedings

The following shall be the order of all proceedings held, pursuant to Subpart C of this Part subject to modification by the Hearing Examiner for good cause:

- a) Presentation, argument and disposition of motions preliminary to a hearing on the merits of the matters raised in the complaint of answer;
- b) Presentation of opening statements;

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

- c) Complainant's case;
- d) Respondent's case;
- e) Complainant's case in rebuttal;
- f) Statements from interested citizens, if authorized by the Hearing Examiner;
- g) Complainant's closing statement, which may include legal argument;
- h) Respondent's closing statement, which may include legal argument; and
- i) Ruling on any reserved motions.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 125.190 Examination of Adverse Party or Agent

Upon the hearing of an adjudicatory action any party thereto or any person for whose immediate benefit the action is prosecuted, or defended, or the officer, directors, or managing agents of any party to the action, may be called and examined as if under cross-examination at the instance of any adverse party. The party calling for the examination is not precluded thereby but may rebut the testimony thus given by the counter testimony and may impeach the witness by proof of prior inconsistent statements.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 125.195 Hostile Witnesses

If the Hearing Examiner in an adjudicatory hearing determines that a witness is hostile or unwilling, the witness may be examined by the party calling him as if under cross-examination. The party calling a witness, upon a showing that he called the witness in good faith and is surprised by his testimony, may impeach the witness by proof of prior inconsistent statements.

(Source: Amended at ___ Ill. Reg. ___, effective _____)

Section 125.199 Compelling Appearance at Hearing

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

The appearance at the an adjudicatory hearing of a party or a person who is an officer, director or employee of a party may be required by serving the party with a notice designating the person who is required to appear. If the party or person is a nonresident of the State, the Hearing Examiner shall provide by order such terms and conditions in connection with his appearance at the hearing as are just, including payment of his reasonable expenses. The notice also may require production at the hearing of documents or tangible things.

(Source: Amended at 13 Ill. Reg. effective
SUBPART B: CLOSED PRELIMINARY HEARINGS)

Section 125.245 Appointment of Hearing Examiner - Notice of Closed Preliminary Hearing Order of Closed Preliminary Hearing

a) Within three (3) days after the filing of a complaint, the General Counsel shall appoint a Hearing Examiner to conduct a closed preliminary hearing on the allegations of the complaint. The Hearing Examiner shall have authority as provided in Section 125.05. The General Counsel shall immediately serve upon all complainants and all respondents a written Notice of Appointment of the Hearing Examiner stating the name, business address and telephone number of the Hearing Examiner. If the complaint is filed within sixty (60) days preceding the date of an election in reference to which the complaint is filed, the General Counsel shall appoint such Hearing Examiner within twenty-four (24) hours after the filing of the complaint, and also shall give telephonic or telegraphic notice of the appointment to all complainants and all respondents, while notice shall be deemed supplementary to the written Notice of Appointment.

a) Complaints may be filed by Board members, Board staff, or private persons in accordance with Section 9-20 of the Act.

b) Within twenty-four (24) hours after appointment, the Hearing Examiner shall designate a time for the closed preliminary hearing, and shall immediately serve a written Notice of Hearing upon all complainants and all respondents, stating the time and place of such hearing. If the complaint is filed within sixty (60) days preceding the date of an election in reference to which the complaint is filed, the Hearing

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

Examiner also shall give telephonic or telegraphic notice of the hearing to all complainants and respondents, which notice shall be deemed supplementary to the written Notice of Hearing.

b) Promptly after the filing of a complaint, the Executive Director shall appoint an Examiner and the Director of the Division of Campaign Disclosure shall enter an order directing a closed preliminary hearing be held on the complaint, designating the time and place of the hearing.

c) The Notice of Appointment served upon the respondent pursuant to the provisions of this section shall have attached thereto a copy of the complaint initiating the hearing.

c) The Examiner may be the Director of the Campaign Disclosure Division or any person designated by the Executive Director.

d) The Notice of Closed Preliminary Hearing shall contain a statement that the respondent(s) has the right to be represented by legal counsel in any proceeding conducted by the State Board of Elections, including preliminary hearing proceedings.

d) A copy of such order shall be served on the complainant, if different from the Board or its staff, and upon the respondent. Such order shall have attached a copy of the complaint.

e) The order shall contain a recitation that the respondent may be represented by counsel at the closed preliminary hearing.

(Source: Amended at Ill. Reg. , effective)

Section 125.250 Time of Preliminary Hearing (Repealed)

Within ten (10) days after the filing of a complaint, the Hearing Examiner shall hold a closed preliminary hearing, provided, however, that if the complaint is filed within sixty (60) days preceding the date of the election in reference to which the complaint is filed, the preliminary hearing shall be held within four (4) days after the filing of the complaint.

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

(Source: Revealed at Ill. Reg. _____, effective)
 Section 125.252 Scope of Preliminary Hearing - Procedures
 - Evidence

~~The purpose of the closed preliminary hearing shall be to elicit evidence on the question whether the complainant was filed on justifiable grounds. All complainants and all respondents shall be permitted to present written materials and documents to testify at the hearing, and to cross-examine witnesses. Additional testimony from persons not party to the proceedings may be received within the discretion of the hearing Examiner. In exercising his discretion, the hearing Examiner shall consider:~~

- a) ~~The limited purpose of the hearing~~
- b) ~~The nature of the testimony to be offered and~~
- c) ~~The time requirements for final decision, as provided in Section 9-21 of the Act. The hearing Examiner shall determine if the complaint is filed on justifiable grounds.~~

The closed preliminary hearing is not an adjudication, but shall be an inquiry to elicit evidence on the question whether the complaint was filed on justifiable grounds.

- a) The closed preliminary hearing shall be conducted by the Examiner.
- b) Minutes of the closed preliminary hearing shall be kept by the Board staff and signed by the Examiner. A party may record the proceedings by employing his or her own court reporter.
- c) The closed preliminary hearing need not be strictly adversarial in nature;

1) Any person offering evidence, written or oral shall affirm to the Examiner that his or her evidence is true to the best of his or her information and belief;

2) Evidence may be submitted in narrative form;

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

- 3) The Examiner shall not be bound to follow rules of evidence acceptable in an Illinois court of record, but may admit and rely upon for his or her recommendation such evidence or information as a reasonable person of ordinary prudence and probity would employ in the management of his or her own affairs;
- 4) The complainant bears the burden of introducing such evidence or information sufficient under Subpart B(3) of this Part, for the Board to conclude that the complaint has been filed on justifiable grounds;
- 5) The complainant will ordinarily present evidence or information supporting its complaint first order. The respondent may then present any information or evidence; and
- 6) The Examiner may ask the complainant or respondent any questions relevant to the charges of the complaint.

d) At the close of the hearing the Examiner shall summarize his or her conclusions concerning the evidence and information represented and draft a recommendation to the Board addressing the questions whether the complaint was filed on justifiable grounds. The Examiner shall also attach to the minutes any documents tendered to the Board during the hearing, and submit his recommendation and the minutes to the Board for their consideration. He shall send a copy to the General Counsel.

e) The Examiner shall have no authority to rule on any questions of law raised by the complainant or respondent, but shall note in the minutes all such matters for the Board's disposition.

f) At any time before the Examiner submits his recommendation and minutes, the complainant and respondent may settle the matters between them, subject to the approval of the Board. If the Board or a member of its staff is the complainant, the Examiner shall have the authority to enter into a stipulation for settlement pursuant to Part 125.254 of these rules, which stipulation shall be subject to Board

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

approval.

(Source: Amended at Ill. Reg. , effective)

Section 125.253 Responsibilities of the General Counsel

a) Upon receipt of a copy of the recommendation of the Examiner and the minutes, the General Counsel shall:

- 1) Review the minutes for questions of law and evidence;
- 2) Offer his remarks and recommendations on all matters of law noted in the minutes;
- 3) At his discretion, comment upon matters of evidence; and
- 4) Promptly transmit his remarks and recommendations to the Board.

b) If no question of law or fact require the General Counsel's comment or recommendation, he shall so note without further remark.

(Source: Added at Ill. Reg. , effective)

Section 125.254 Stipulated Settlement

a) Whenever a closed preliminary hearing is conducted, the parties shall be afforded an opportunity to come into compliance with any applicable requirement of the Act, the Election Code, or any rule of the Board and to dispose of all matters in dispute by written stipulation or agreed order approved by the Board. Provided however, if the committee has previously failed to comply with the requirements of the Act, the Election Code or any rule of the Board, then any stipulation or agreed order must be submitted to the Board and shall not be effective unless approved by the Board. Repeated failures to comply with the Act, the Election Code, or rules of the Board shall entitle the Board to reject any proposed stipulation or agreed order and to direct that a complaint be filed.

b) Any written stipulation or agreed order issued pursuant

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

to this section shall include a provision known as the "Standing Order" provision as referred to in Section 125.420, requiring that all subsequent reports, statements or filings required by the Act must be made within the time limits set forth in the Act, and that any failure or refusal to comply with filing deadlines shall result in the automatic imposition of the following civil penalties in accordance with Section 125.425. Any such standing order provision shall remain in effect for a period of 12 months from the date of the final order, stipulation or agreed order.

c) Any person who fails or refuses to comply with the terms of a standing order provision shall be notified by the Board by service as set forth in Section 125.425, that the Board shall issue an order imposing a civil penalty in accordance with the schedule set forth in this Rule. Such person shall be afforded an opportunity to appear at the next regularly scheduled or special Board meeting and to show cause why such a civil penalty shall not be imposed.

d) Any civil penalties imposed pursuant to the section may be enforced and collected in accordance with Section 125.430.

(Source: Added at Ill. Reg. , effective)

Section 125.255 Transcript of Preliminary Hearing (Repealed)

a) ~~Oral testimony and all other proceedings at a closed preliminary hearing shall be recorded by a certified court reporter, but need not be transcribed unless requested by a party. The party requesting the transcription shall pay for its cost. Except as otherwise provided by the Board, the notes of transcriptions thereof shall be filed with the General Counsel and shall not be available to anyone except the Board, the General Counsel, the parties to the proceedings and the Hearing Examiner conducting the hearing, except upon order of a Court.~~

b) ~~If the Board determines that the complaint has been filed on justifiable grounds, notes of transcriptions of the preliminary hearing may be requested and made available to the public. The Board at its discretion~~

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

may impound the transcript.

e) If the Board determines the complaint was not filed on justifiable grounds, and if no appeal is pending pursuant to Section 125.270, then the transcript of the preliminary hearing will be made available to the public only at the option of the respondent.

(Source: Repealed at Ill. Reg. , effective)

Section 125.260 Report of Hearing Examiner (Repealed)

Immediately upon the conclusion of a closed preliminary hearing the Hearing Examiner shall submit to the Board and to the General Counsel a written report on the hearing that summarizes all testimony and includes any and all documentary evidence received during the hearing along with his recommendation as to whether the complaint has been filed on justifiable grounds. The General Counsel shall promptly review the report and shall transmit his opinion and recommendation to each member of the Board.

(Source: Repealed at Ill. Reg. , effective)

Section 125.262 Board Determination

a) After the submission of the report and recommendations of the Hearing Examiner, the minutes, and the recommendations the opinion of the General Counsel, if any, the Board shall determine whether the complaint was filed on justifiable grounds. If the Board determines that the complaint was not filed on justifiable grounds, it shall enter a final and appealable order dismissing the complaint without further hearing. If the Board determines that the complaint was appears to have been filed on justifiable grounds, it shall order a public hearing to be conducted in accordance with the provisions of Subpart C of this Part.

b) In the case of a complaint filed within sixty (60) days preceding the date of an election in reference to which the complaint is filed, the Board shall make its determination within forty-eight (48) hours of the submission of the report of the Hearing Examiner and the opinion of the General Counsel.

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

b) The Board may consider and discuss the Examiner's report recommendation through a conference telephone call begun in open session and continued in executive session in lieu of an in-person meeting, and such consideration and discussion shall be deemed part of the closed preliminary hearing process. Any action on the Examiner's report recommendations must be taken in open session, or if taken as part of the telephonic conference call, that portion of the conference call shall be broadcast over a speaker phone or other similar device at both the permanent and branch offices of the Board and that portion of the broadcast call be open to the media and public.

e) In the event the Board does not reach a decision within the time specified by paragraph (a) or (b) of this section 125.262, such fact shall be deemed to be a final order of the Board adopting the recommendations and findings of the Hearing Examiner.

(Source: Amended at Ill. Reg. , effective)

Section 125.270 Record of Preliminary Hearing on Appeal Administrative Review

Upon appeal from a final order of the Board dismissing a complaint following a closed preliminary hearing, the transcript minutes and documentary evidence received during the preliminary hearing, together with the report and recommendation of the Hearing Examiner, the opinion recommendation of the General Counsel, if any, and the final order of the Board, shall constitute the record on appeal administrative review. Before the transcript is filed, the Hearing Examiner shall notify the parties that the transcript has been prepared, shall receive corrections from any parties, shall examine the transcript for accuracy, and then shall certify that it is a true and correct transcript of the hearing. The filing of the record on appeal shall be in camera with the court having jurisdiction over the appeal, and any public inspection or release thereof shall be subject to order of that court. If a party has caused a verbatim transcript of the closed preliminary hearing to be made, he, at his election, may submit that transcript for inclusion in the record on administrative review. Legal counsel for the Board shall be instructed to seek leave of Court to file the record on administrative review "in camera" with the Court having jurisdiction over the review, any public inspection or release thereof may be subject to order of that Court.

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

(Source: amended at ___ Ill. Reg. ___, effective ___)

Section 125.272 Order of Public Hearing

a) In the event that the Board orders a public hearing, the General Counsel Board shall within twenty-four (24) hours promptly as Section 9-21 of the Election Code requires appoint a Hearing Examiner to conduct a public hearing on the complaint and shall immediately serve upon all parties a written Notice of Appointment of the Hearing Examiner, stating the name, business address and telephone number of the Hearing Examiner, together with a copy of the Board's order after the closed preliminary hearing. If the complaint is filed within sixty (60) days preceding the date of an election in reference to which the complaint is filed, the General Counsel also shall promptly give telephonic or telegraphic notice of the appointment to all parties, which notice shall be deemed supplementary to the written Notice of Appointment.

b) Within twenty-four (24) hours after appointment, the Hearing Examiner shall promptly designate a time and place for the public hearing and shall immediately as soon as practicable serve a written Notice of Hearing upon all parties, stating the time and place of such hearing. If the complaint is filed within sixty (60) days preceding the date of an election in reference to which the complaint is filed, the Hearing Examiner also shall promptly give telephonic notice of the hearing to all parties, which notice shall be deemed supplementary to the written Notice of Hearings.

c) The Notice of Hearing shall contain a statement that the respondent(s) has the right to be represented by legal counsel in any proceeding conducted by the State Board of Elections, including public hearing proceedings.

d) Unless all parties to the proceedings so stipulate, the Hearing Examiner who conducted the closed preliminary hearing shall not conduct the public hearing.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

Section 125.275 Time and Conduct of Public Hearing (Repealed)

The Hearing Examiner shall hold a public hearing on a complaint determined to have been filed on a justifiable grounds within seventeen (17) days after the filing of the complaint, provided, however, that if the complaint is filed within sixty (60) days preceding the date of the election in reference to which the complaint is filed, said hearings under the Act shall be conducted in accordance with Subpart C of this Part.

(Source: Repealed at ___ Ill. Reg. ___, effective ___)

Section 125.340 Notice of Hearing

In adjudicative hearings either than those commenced pursuant to Subpart B of this Part, the Hearing Examiner shall, within 48 hours promptly after receipt of notification of his appointment, designate a time and place for the public hearing, within any time limits as may be prescribed by law. The Hearing Examiner shall serve notice of the time and place of hearing upon all parties in accordance with Section 125.40.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 125.420 Order of the Board; Civil Penalties

a) In addition to any complaint disposed of by written stipulation, agreed settlement or consent order pursuant to Section 9-21 (Ill. Rev. Stat. 1983, ch. 46, par. 9-21), the Board shall review the reports submitted by the Hearing Examiner and the General Counsel, and any objections, briefs or memoranda filed by any party to the hearing, and shall issue its final order within the time specified in Section 9-21 of the Election Code (Ill. Rev. Stat. 1983, ch. 46, par. 9-21). If the hearing was extended by stipulation or order of the Hearing Examiner pursuant to Section 125.160, then the Board decision shall be issued:

1) Within 36 hours of the Hearing Examiner's Report if the complaint was filed within 60 days prior to an election and related to such election, or

2) Within 60 days in all other instances.

A) Oral argument before the Board prior to issuance

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

of a final order or approval of a written stipulation, agreed settlement or consent order shall be permitted at the Board's discretion, if the Board determines supplemental testimony will provide heretofore undiscovered relevant testimony.

B) The Board may consider, discuss and take final action on any final order, written stipulation, agreed settlement or consent order through a conference telephone call in lieu of an in-person meeting. Notice shall be given to the media in advance of such conference call. The call shall be broadcast over speaker phone or other similar device at both the permanent and branch offices of the Board and such broadcast shall be open to the media and public. The entire conference shall also be recorded by a certified court reporter.

b) Whenever the Board determines a person to be in violation of any provision of the Act or any regulation adopted thereunder, the final order, written stipulation, agreed settlement or consent order shall direct that person to cease or correct such violation or otherwise comply with the Act or regulation within such time as the Board may specify, but not within less than fifteen (15) days.

c) The Board shall also notify the person, as part of its final order, written stipulation, agreed settlement or consent order that it shall impose a civil penalty, not to exceed \$1,000, on any person who fails or refuses to comply with such final order, written stipulation, agreed settlement or consent order within the time specified by the Board. The amount of civil penalties shall be completed as follows: The procedure for assessment and the amount of civil penalties shall be as set out in Section 125.425 of this Part.

1) For the failure or refusal to file a Pre-election Report required by Section 9-10 of the Act, \$50 per day for each day the Pre-election Report is delinquent.

2) For the failure or refusal to file any other report or statement required by the Act or by the Board

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

Pursuant to its final order, \$50 per day for each day the report or statement is delinquent.

d) Any final order, written stipulation, agreed settlement or consent order issued shall include a provision, referred to as a standing order provision, requiring that all subsequent reports, statements or filings required by the Act, during the period the standing order provision is in effect, must be made within the time limits set forth in the Act, and that any failure or refusal to comply with such filing deadlines shall result in the automatic imposition of the following civil penalties by the Board in an amount not to exceed \$1,000:

1) For the failure or refusal to file a Pre-election Report required by Section 9-10 of the Act, \$100 per day for each day the Pre-election Report is delinquent.

2) For the failure or refusal to file any other report or statement required by the Act, \$50 per day for each day the report or statement is delinquent.

Any such standing order shall remain in effect for a period of 12 months from the date of the final order, stipulation or agreed order.

e) Any person who fails or refuses to comply with the terms of a final order and or standing order provision shall be notified by the Board by service as set forth in Section 125.180, that the Board shall issue an order imposing a civil penalty in accordance with the schedule set forth in this section. Such person shall be afforded an opportunity to appear at the next regularly scheduled or special Board meeting to show cause why such a civil penalty should not be imposed.

1) The Board shall waive the imposition of any civil penalty upon a showing of extreme hardship including but not limited to the death or disability of the candidate or treasurer of the political committee, rendering it impossible to comply with the Board's final order and/or standing order provision.

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

§7e) Whenever an order imposes a civil penalty, the order shall direct the General Counsel to petition the appropriate Circuit Court for an order to enforce collection of the penalty pursuant to the provisions of Section 9-23 of the Election Code.

§7f) In addition to, or in lieu of, the imposition of a civil penalty, the Board's order may also direct that violations of the Act, any rule adopted thereunder, or any order issued by the Board, be reported to the Attorney General and the appropriate State's Attorney whenever there appears to be any evidence to suggest that there has been a willful failure to file or willful filing of false or incomplete information required by the Act and such willful failure to file or willful filing of false and incomplete information may possibly constitute a criminal violation of the Act pursuant to Section 9-26 of the Act.

§7g) The Board's order imposing a civil penalty shall become effective immediately upon execution of the final order or as otherwise specified in the order, the Election Code or other rule of the Board.

§7h) All parties to the proceeding shall be notified promptly of any and all orders and exact copies of such orders shall be personally delivered or mailed by certified or registered mail to each attorney of record.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 125.425 Civil Penalty Assessments

a) As used in Section 125.425 of these Rules, "authorizing candidate" means any candidate who has at any time during the reporting period for the report in question or prior thereto filed with the committee an authorization in accordance with Section 9-8 of the Election Code.

b) A report required to be filed within a specified time pursuant to Section 9-10 of the Election Code (Chapter 46, Section 9-10, Illinois Revised Statutes) is delinquent if not received by the Board on or before the due date.

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

c) The report continues to be delinquent, and if the political committee is currently under stipulation, it is subject to an increasing civil penalty as provided herein, until received by the Board.

d) When a report is delinquent, the Board will send notice of delinquency to the chairman and the treasurer of each delinquent state, state and local, and local political committee no later than four (4) days after the due date of the report. Notice of delinquency shall also be sent to any candidate listed by name on that committee's Statement of Organization. If a delinquent state, state and local, or local political committee is currently under stipulation, such notice shall state that a fine is being assessed for each late day.

e) Upon receipt of a delinquent campaign disclosure report, the Board shall send by certified mail to all delinquent political committees not currently under stipulation, a partially completed stipulation and agreed order for signature. The Board shall file a complaint against any such political committee failing to return such properly completed stipulation within 30 days of the mailing of the stipulation or within 10 days after the political committee's acceptance of same. If a political committee is currently under stipulation the Board will:

1) Calculate the initial civil penalty for each day of delinquency as follows:

A) If its (1) total receipts, (2) total expenditures, and (3) the balance remaining at the end of the reporting period for which the delinquent report was due are each \$5000.00 or less, and if the delinquent report is not a pre-election report, the political committee shall be assessed a fine of \$25.00 per business day for the first violation of a stipulation, \$50.00 per business day for the second violation, and \$75.00 per business day for the third and each subsequent violation;

B) If its (1) total receipts, (2) total

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

expenditures, or (3) balance remaining at the end of the reporting period for which the delinquent report was due exceeds \$5000.00, and if the delinquent report is not a pre-election report, the political committee shall be assessed a fine of \$50.00 per business day for the first violation of a stipulation, \$100.00 per business day for the second violation, and \$200.00 per business day for the third and each subsequent violation;

C) If its (1) total receipts, (2) total expenditures, and (3) balance remaining at the end of the reporting period for which the delinquent report was due are each \$5000.00 or less and if the delinquent report is a pre-election report, the political committee shall be assessed a fine of \$100.00 per business day for the first violation of a stipulation, \$200.00 per business day for the second violation, and \$300.00 per business day for the third and each subsequent violation; or

D) If its (1) total receipts, (2) total expenditures, or (3) balance remaining at the end of the reporting period for which the delinquent report was due, exceeds \$5000.00, and if the delinquent report is a pre-election report, the political committee shall be assessed a fine of \$200.00 per business day for the first violation of a stipulation, \$400.00 per business day for the second violation, and \$600.00 per business day for the third and each subsequent violation; and

2) Mail to the chairman and the treasurer of the political committee, as well as to any candidate listed by name on that committee's current Statement of Organization, notice of the civil penalty assessed against the political committee within five (5) days after receipt of a delinquent report and include therewith:

A) a statement of the amount of the assessed

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

penalty;

B) a request for hearing form;

C) an appeal affidavit form; and

D) a request for waiver of appearance form.

f) A political committee assessed a civil penalty for being delinquent in filing a required report may:

1) submit, within 30 days of the mailing of the assessment notice described in (e)(2) of this section, a request for waiver of appearance and appeal affidavit in substantially the form provided by the Board stating the reasons for requested waiver of appearance and the reasons for the late filing to show why a civil penalty should not be assessed. This appeal affidavit shall either be in writing made under oath and upon penalty of perjury sworn to before a notary public or any person authorized to administer oaths or be made pursuant to Section 1-109 of the Illinois Code of Civil Procedure (ch. 110, Sec. 1-109, Illinois Revised Statutes); or

2) submit within 30 days of the mailing of the assessment notice described in (e)(2) of this section, a request for hearing and appeal affidavit in substantially the form provided by the Board stating the reasons for the late filing to show why a civil penalty should not be assessed. This appeal affidavit shall either be in writing made under oath and upon penalty of perjury sworn to before a notary public or any person authorized to administer oaths or be made pursuant to Section 1-109 of the Illinois Code of Civil Procedure (ch. 110, Sec. 1-109, Illinois Revised Statutes); or

3) pay, within thirty (30) days of the mailing of the assessment notice described in (e)(2) of this section, the civil penalty assessed.

g) If a political committee subject to a civil penalty assessment for the late filing of a campaign disclosure report fails, within the time required, to submit

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

a request for hearing and appeal affidavit, to submit a request for waiver of appearance and appeal affidavit, or to make payment in full of the assessed civil penalty, then the Board shall refer the matter to the appropriate Circuit Court for an order to enforce collection of the assessed fine unless the Board for good cause shown feels that same is inappropriate. The Board shall not hear an appeal if neither a request for waiver of appearance and appeal affidavit nor a request for hearing and appeal affidavit is filed within the time required.

h) A request for waiver of appearance and appeal affidavit in substantially the form provided by the Board, timely filed within thirty (30) days of the mailing of the assessment notice described in (e)(2) of this Section with the Board, if denied at the next meeting of the Board occurring at least seven (7) days after receipt of said request and affidavit, will be considered at the then next following regular meeting, upon written notice to the political committee specifying the date, time and location of said meeting. Each said request and affidavit shall be accepted by the Board to the political committee filing same, with said receipt to contain the date of receipt and the date, time and location of the next regular meeting of the Board occurring at least seven (7) days after the receipt of said request and affidavit. At that following meeting, either the chairman, the treasurer or, an authorizing candidate of the political committee, shall be present in person. If such a representative of the political committee is not present, the appeal shall be denied.

i) A request for hearing and appeal affidavit form timely filed with the Board within thirty (30) days of the mailing of the assessment notice described in (e)(2) of this Section will be considered at the next regular meeting of the Board occurring at least seven (7) days after receipt of said request and affidavit. Each said request and affidavit shall be accepted by the Board to the political committee filing same, with said receipt to contain the date of receipt, and the date, time and location of the next regular meeting of the Board occurring at least seven (7) days after the receipt of said request and affidavit. If neither the chairman, the treasurer, nor, an

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

authorizing candidate of the political committee is present at the requested hearing, the appeal shall be denied.

j) If the political committee's appeal is:

1) denied by the Board, the Board will require that the civil penalty originally assessed be paid within thirty (30) days after the date of the hearing;

2) if the appeal is accepted by the Board, the Board will waive the civil penalty assessment, provided that the Board may waive the fine only if the political committee can present documentation proving that it did file the report in question is on time.

k) Any party adversely affected by a final order of the Board may file a written motion to reconsider the order pursuant to Section 125.440.

l) Civil penalties assessed for late filing of reports may be paid from funds of the political committee. Whether or not sufficient funds are available and whether or not the political committee has been dissolved the following persons shall be personally liable for payment of assessed fines:

1) For all political committees, the chairman and the treasurer shall be jointly and severally liable. The chairman and treasurer at the time the order is signed, each subsequent chairman or treasurer, and the chairman and treasurer at the time of the last day the report could have been timely filed all shall be jointly and severally liable;

2) For political committees, other than a committee listed in paragraph (1) (3) or a committee whose authorizing candidate has sought or is seeking a judicial office, the candidate shall also be liable; and

3) For a political committee of a political party organized under either Sections 7-7, 7-8, 7-8.01, 7-8.02 or 7-9 of the Election Code (ch.46,

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

Sections 7-7, 7-8, 7-8.01, 7-8.02 and 7-9, Illinois Revised Statutes), the chairman of the political party shall also be liable.

- m) Any authorizing candidate, treasurer, or chairman paying an assessed civil penalty may, upon request to the political committee be reimbursed such amount from funds of the political committee, if and when such funds become available.
- n) If agreed to by the political committee, the Board shall extend the stipulation and agreed order for an additional twelve month period for each committee assessed a late fine.
- o) The civil penalty for a single violation may not exceed \$1,000.00; provided that each report which is not timely and properly filed by a political committee shall be a separate single violation.

(Source: Added at Ill. Reg. _____, effective _____)

SUBPART E: INVESTIGATIONS, INQUIRIES AND HEARINGS
PURSUANT TO SECTION 9-18

Section 125.510 Applicability (Repealed)

~~This Part shall apply to all investigations, inquiries and hearings pursuant to Section 9-18 of the Campaign Finance Act, including but not necessarily limited to State Board of Elections staff efforts to obtain compliance with all disclosure and reporting requirements.~~

(Source: Repealed at Ill. Reg. _____, effective _____)

Section 125.520 Staff Review and Enforcement of Reporting Requirements

Prior to filing a written complaint pursuant to Section 9-20 of the Act, the State Board of Elections, through its staff, shall:

- a) Notify in writing each political committee that has failed to file a required report, or whose report is incorrect, incomplete, inaccurate, or otherwise not in compliance with the law. ~~That with respect to any pre-election report it shall have five~~ (5)

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

~~days following the receipt of the notice, and with respect to any other report it shall have thirty (30) days following the receipt of the notice in which to file a complete or correct, as the case may be, report. Notification for failure to file a (1) Pre-election Report shall be sent to all candidates on the ballot as well as all participating political committees required to file same report; (2) for a Semiannual Report, notice shall be sent to all established political committees required to file such report. Telephonic notice shall also be given whenever possible to the treasurer an officer of the political committee.~~

- b) The written notice required by paragraph (a) above shall be given by:

- 1) Personal service, or
- 2) By ~~registered or certified~~ first-class mail. ~~return~~ ~~receipt~~ ~~requested~~. With respect to documents required that have been filed, the notice shall ~~may~~ specify to the extent possible the deficiencies claimed in such reports.

- c) The notice shall also set a time, place and date for a pre-complaint conference to be held in accordance with Section 125.254. Such conference must be afforded to any political committee or its chairman or treasurer, or to any other person affected prior to a complaint being filed by or on behalf of the Board.

- d) For good cause shown, the division head of the Campaign Disclosure Section of the Board may extend the time for compliance for an additional ~~sixty (60)~~ thirty (30) days after the date of the ~~pre-complaint~~ conference. No further extensions of time shall be given without express Board approval, and in those cases where the reporting committee is subject to a standing order provision as provided in Section 125.420, no extension of time shall be given.

(Source: Amended at Ill. Reg. _____, effective _____)

Section 125.530 Compliance Conference

STATE BOARD OF ELECTIONS

STATE BOARD OF ELECTIONS

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

a) Whenever a compliance conference is conducted, the parties shall be afforded an opportunity to come into compliance with any applicable requirement of the Act, the Election Code, or any rule of the Board and to dispose of all matters in dispute by written stipulation, or agreed order. Provided however, if the committee has previously failed to comply with the requirements of the Act, the Election Code or any rule of the Board, then any stipulation or agreed order must be submitted to the Board and shall not be effective unless approved by the Board. Repeated failures to comply with the Act, the Election Code, or rules of the Board shall entitle the Board to reject any proposed stipulation or agreed order and to direct that a complaint be filed.

b)

1) Any written stipulation or agreed order issued pursuant to this section shall include a provision known as the standing order provision as referred to in Section 125.420, requiring all subsequent reports, statements or filings required by the Act must be made within the time limits set forth in the Act, and that any failure or refusal to comply with such filing deadlines shall result in the automatic imposition of the following civil penalties by the Board in an amount not to exceed \$1,000.

A) For the failure or refusal to file a Pre-election Report required by Section 9-10 of the Act, \$100 per day for each day of the Pre-election Report is delinquent.

B) For the failure or refusal to file any other report or statement required by the Act, \$50 for each day of the report or statement is delinquent.

2) Any such standing order provision shall remain in effect for a period of 12 months from the date of the final order, stipulation or agreed order.

e)

1) Any person who fails or refuses to comply with the terms of a standing order provision shall

be notified by the Board by service as set forth in Section 125.530, that the Board shall issue an order imposing a civil penalty in accordance with the schedule set forth in this rule. Such person shall be afforded an opportunity to appear at the next regularly scheduled or special Board meeting and to show cause why such a civil penalty shall not be imposed.

2) The Board shall waive the imposition of any civil penalty upon a showing of extreme hardship, including but not limited to the death or disability of the candidate or treasurer of the political committee, rendering it impossible to comply with the terms of a standing order provision, stipulation or order.

d) Any civil penalties imposed pursuant to this section may be enforced and collected in accordance with Section 125.420:

(Source: Amended at Ill. Reg. ___, effective ___)

Section 125.540 Staff Initiated Complaint (Repealed)

If the matters in dispute are not resolved within the time specified in Section 125.520 or through the pre-complaint conference procedure set forth in Section 125.530, then the head of the Campaign Disclosure Division or any member of his staff may file a complaint in accordance with Section 9-20 of the Act:

(Source: Repealed at Ill. Reg. ___, effective ___)

SUBPART F: RULE MAKING AND NON-ADJUDICATIVE HEARINGS

Section 125.610 Applicability

The Rules in this Subpart shall apply to all rule making and other non-adjudicative hearings and procedures except for closed preliminary hearings under Subpart B of these rules. Hearings conducted pursuant to this Subpart shall be deemed in the nature of legislative hearings.

(Source: Amended at Ill. Reg. ___, effective ___)

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

NOTICE OF PROPOSED RULES

1) Heading of the Part: Existing Activities In A Setback Zone
or Regulated Recharge Area

2) Code Citation: 35 Ill. Adm. Code 615

3) Section Numbers: Proposed Action:

615.101	New Section
615.102	New Section
615.103	New Section
615.104	New Section
615.105	New Section
615.201	New Section
615.202	New Section
615.203	New Section
615.204	New Section
615.205	New Section
615.206	New Section
615.207	New Section
615.208	New Section
615.209	New Section
615.210	New Section
615.211	New Section
615.301	New Section
615.302	New Section
615.303	New Section
615.304	New Section
615.305	New Section
615.306	New Section
615.307	New Section
615.401	New Section
615.402	New Section
615.403	New Section
615.404	New Section
615.405	New Section
615.406	New Section
615.407	New Section
615.421	New Section
615.422	New Section
615.423	New Section
615.424	New Section
615.441	New Section
615.442	New Section
615.443	New Section
615.444	New Section
615.445	New Section
615.446	New Section
615.447	New Section
615.461	New Section

615.462 New Section
615.463 New Section
615.501 New Section
615.502 New Section
615.601 New Section
615.602 New Section
615.603 New Section
615.604 New Section
615.621 New Section
615.622 New Section
615.623 New Section
615.624 New Section
615.701 New Section
615.702 New Section
615.703 New Section
615.704 New Section
615.705 New Section
615.721 New Section
615.722 New Section
615.723 New Section
615.724 New Section

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1005, 1014.4, 1021, 1022 and 1027.

5) A Complete Description of the Subjects and Issues Involved:

Pursuant to legislative mandate contained in the Groundwater Protection Act and the Environmental Protection Act, the Board is proposing these rules for existing activities within setback zones and regulated recharge areas as defined in the proposed rules. The issues which the Board must consider include those issues contained in Section 14.4(b) of the Environmental Protection Act.

Other related rulemakings are proposed new Parts 616 and 617 and proposed amendments to Part 601 and are contained in separate notices pertaining to those parts.

A complete description of the subjects and issues involved is contained in the Board's Opinion and Order of August 31, 1989, Board Docket, R89-5, which is available from the Clerk of the Board, at the address indicated below (see #11).

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date? No

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 8) Does this proposed rule contain incorporations by reference? Yes. Section 615.103 incorporates standards and guidelines of nationally recognized organizations and rules and guidelines of federal agencies.
- 9) Are there any other amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives:

The rulemaking is mandated by Section 14.4 of the Environmental Protection Act. Statements of statewide policy objectives are set forth in Section 14.4 of the Environmental Protection Act and Section 7452 of the Groundwater Protection Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in any of the activities described in the proposed rules including landfilling, land treating, surface impounding, and piling of wastes; or the use of underground storage tanks or pesticide, fertilizer, road oil or de-icing agent storage and handling units, as specified in the proposed rules.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a minimum of 45 days after the date of this publication. Comments should reference Docket R89-5 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

- 12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: September 8, 1989

- B) Types of small businesses affected:

Small businesses may be affected to the extent that they may be involved in any of the activities described in the proposed rules including landfilling, land treating, surface impounding, and piling of wastes; or the use of underground storage tanks, or the use of pesticide, fertilizer, road oil, or de-icing agent storage and handling units.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- C) Reporting, bookkeeping or other procedures required for compliance:

The proposed rules require reporting, bookkeeping and other procedures, including sampling, analysis, and other monitoring requirements and preparation of certification documents.

- D) Types of professional skills necessary for compliance:

Compliance with the proposed rules may require the services of an attorney and chemist, and does require the services of a registered professional engineer and registered land surveyor.

The full text of the Proposed Rules begin on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 615

EXISTING ACTIVITIES IN A SETBACK ZONE OR REGULATED RECHARGE AREA

SUBPART A: GENERAL

Section

615.101 Purpose
615.102 Definitions
615.103 Incorporations by Reference
615.104 Prohibitions
615.105 General Exceptions

SUBPART B: GROUNDWATER MONITORING REQUIREMENTS

Section

615.201 Applicability
615.202 Compliance Period
615.203 Compliance with Groundwater Standards
615.204 Groundwater Monitoring System
615.205 Groundwater Monitoring Program
615.206 Contaminants to be Monitored
615.207 Sampling Frequency
615.208 Reporting
615.209 Non-Compliance Response Program
615.210 Alternate Non-Compliance Response Program
615.211 Corrective Action Program

SUBPART C: GENERAL CLOSURE AND POST-CLOSURE REQUIREMENTS

Section

615.301 Applicability
615.302 Closure Performance Standard
615.303 Certificate of Closure
615.304 Survey Plat
615.305 Post-Closure Notice for Waste Disposal Units
615.306 Certification of Completion of Post-Closure Care
615.307 Post-Closure Care Period

SUBPART D: LANDFILLS

Section

615.401 Applicability
615.402 Required Closure of Units Located Within Minimum Setback Zones
615.403 Required Closure of Units Located Within Maximum Setback Zones

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

615.404 Required Closure of Units Located Within Regulated Recharge Areas
615.405 Groundwater Monitoring
615.406 Operating Requirements
615.407 Closure and Post-Closure Care

SUBPART E: LAND TREATMENT UNITS

Section

615.421 Applicability
615.422 Required Closure of Units Located Within Minimum Setback Zones
615.423 Required Closure of Units Located Within Maximum Setback Zones
615.424 Closure and Post-Closure Care

SUBPART F: SURFACE IMPOUNDMENTS

Section

615.441 Applicability
615.442 Required Closure of Units Located Within Minimum Setback Zones
615.443 Required Closure of Units Located Within Maximum Setback Zones
615.444 Groundwater Monitoring
615.445 Inspection Requirements
615.446 Operating Requirements
615.447 Closure and Post-Closure Care

SUBPART G: WASTE PILES

Section

615.461 Applicability
615.462 Design and Operating Requirements
615.463 Closure

SUBPART H: UNDERGROUND STORAGE TANKS

Section

615.501 Applicability
615.502 Design and Operating Requirements

SUBPART I: PESTICIDE STORAGE AND HANDLING UNITS

Section

615.601 Applicability
615.602 Groundwater Monitoring
615.603 Design and Operating Requirements
615.604 Closure and Post-Closure Care

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

SUBPART J: FERTILIZER STORAGE AND HANDLING UNITS

Section

615.621 Applicability
615.622 Groundwater Monitoring
615.623 Design and Operating Requirements
615.624 Closure and Post-Closure Care

SUBPART K: ROAD OIL STORAGE AND HANDLING UNITS

Section

615.701 Applicability
615.702 Required Closure of Units Located Within Minimum Setback Zones
615.703 Groundwater Monitoring
615.704 Design and Operating Requirements
615.705 Closure

SUBPART L: DE-ICING AGENT STORAGE AND HANDLING UNITS

Section

615.721 Applicability
615.722 Groundwater Monitoring
615.723 Design and Operating Requirements
615.724 Closure

AUTHORITY: Implementing Sections 5, 14.4, 21, and 22, and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1005, 1014.4, 1021, 1022, and 1027).

SOURCE: Adopted in R89-5 at ___ Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART A: GENERAL

Section 615.101 Purpose

This Part prescribes requirements and standards for the protection of groundwater for certain types of existing facilities or units located wholly or partially within a setback zone regulated by the Act or within a regulated recharge area as delineated pursuant to Section 17.4 of the Act.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 615.102 Definitions

Except as stated in this Section, and unless a different meaning of a word or term is clear from the context, the definition of words or terms in this Part shall be the same as those used in the Act or the Illinois Groundwater Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 7451 et seq.):

"Above-ground storage tank" means a storage tank that is not an underground storage tank.

"Act" means the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1001 et seq.)

"Agency" means the Illinois Environmental Protection Agency.

"Board" means the Illinois Pollution Control Board.

"Certification" means a statement of professional opinion based upon knowledge and belief.

"COMMUNITY WATER SUPPLY" MEANS A PUBLIC SUPPLY WHICH SERVES OR IS INTENDED TO SERVE AT LEAST 15 SERVICE CONNECTIONS USED BY RESIDENTS OR REGULARLY SERVES AT LEAST 25 RESIDENTS. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.05)

"Compliance point" means any point which is located directly beneath a facility boundary, is located within the uppermost aquifer, and is at a hydraulically downgradient point of groundwater flow. If groundwater flow directions vary temporally or vertically, there may be more than one compliance point.

"Construction has commenced" means that all necessary federal, state, and local approvals have been obtained, and work at the site has been initiated and proceeds in a reasonably continuous manner to completion.

"Container" means any portable device (including, but not limited to, 55 gallon drums) in which material is stored, treated, disposed or otherwise handled. The term "container" does not include a vehicle used to transport material.

"Containerized" means being in a container.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

"CONTAMINANT" IS ANY SOLID, LIQUID, OR GASEOUS MATTER, ANY ODOR, OR ANY FORM OF ENERGY, FROM WHATEVER SOURCE. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.06)

"CONTAMINATION" OR "CONTAMINATE" WHEN USED IN CONNECTION WITH GROUNDWATER, MEANS WATER POLLUTION OF SUCH GROUNDWATER. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.63)

"De-Icing agent" means a chemical used for de-icing, including but not limited to sodium chloride and calcium chloride. Sand, ashes, or other abrasive materials that do not alter the freezing point of water are not de-icing agents.

"Dike" means an embankment or ridge of either natural or manmade materials used to prevent the movement of liquids, sludges, solids, or other materials.

"Discharge" means the accidental or intentional spilling, leaking, pumping, pouring, emitting, emptying or dumping of any material onto or on any land or water.

"DISPOSAL" MEANS THE DISCHARGE, DEPOSIT, INJECTION, DUMPING, SPILLAGE, LEAKING OR PLACING OF ANY WASTE OR HAZARDOUS WASTE INTO OR ON ANY LAND OR WATER OR INTO ANY WELL SO THAT SUCH WASTE OR HAZARDOUS WASTE OR ANY CONSTITUENT THEREOF MAY ENTER THE ENVIRONMENT OR BE EMITTED INTO THE AIR OR DISCHARGED INTO ANY WATERS, INCLUDING GROUNDWATERS. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.08)

"Existing facility" or "existing unit" means a facility or unit which was in operation or for which construction has commenced on or before:

The effective date of this Part, for any facility or unit located within a minimum setback zone;

The effective date of an ordinance or regulation that establishes a maximum setback zone, for any facility or unit located within that zone; or

The effective date of a regulated recharge area as delineated in 35 Ill. Adm. Code 617, for any facility or unit located within that area.

A facility or unit is not an existing facility or unit if it closes on or before:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

The effective date of this Part, for any facility or unit located within a minimum setback zone;

The effective date of an ordinance or regulation that establishes a maximum setback zone, for any facility or unit located within that zone; or

The effective date of a regulated recharge area as delineated in 35 Ill. Adm. Code 617, for any facility or unit located within that area.

"Facility" means all contiguous land and structures, other appurtenances and improvements on the land used for the treating, storing, handling, or disposal of any material which causes that unit to be regulated under this Part. A facility may consist of one or more operational units.

"Facility boundary" means a line at the land's surface circumscribing the area on which, above or below which waste, pesticides, fertilizers, road oils or de-icing agents will be placed during the active life of the facility. The space taken up by any liner, dike or other barrier designed to contain waste, pesticides, fertilizers, road oils or de-icing agents falls within the facility boundary.

"Freeboard" means the vertical distance between the top of a tank or dike and the surface of the material contained therein.

"Free liquids" means liquids which readily separate from the solid portion of a waste under ambient temperature and pressure. To demonstrate the absence or presence of free liquids in either a containerized or a bulk waste, the following test must be used: Method 9095 (Paint Filter Liquids Test) as described in "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods." (EPA Publication No. SW-846, incorporated by reference in Section 615.105).

"GROUNDWATER" MEANS UNDERGROUND WATER WHICH OCCURS WITHIN THE SATURATED ZONE AND GEOLOGIC MATERIALS WHERE THE FLUID PRESSURE IN THE PORE SPACE IS EQUAL TO OR GREATER THAN ATMOSPHERIC PRESSURE. (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1003.64))

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

"Groundwater standards" means

The water quality standards for groundwater adopted by the Board under Section 8 of the Illinois Groundwater Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 7458); and

The water quality standards set forth in 35 Ill. Adm. Code 302 or 303, to the extent these are applicable to groundwater.

"HAZARDOUS WASTE" MEANS A WASTE, OR COMBINATION OF WASTES, WHICH BECAUSE OF ITS QUANTITY, CONCENTRATION, OR PHYSICAL, CHEMICAL, OR INFECTIOUS CHARACTERISTICS MAY CAUSE OR SIGNIFICANTLY CONTRIBUTE TO AN INCREASE IN IRREVERSIBLE, OR INCAPACITATING REVERSIBLE, ILLNESS; OR POSE A SUBSTANTIAL PRESENT OR POTENTIAL HAZARD TO HUMAN HEALTH OR THE ENVIRONMENT WHEN IMPROPERLY TREATED, STORED, MANAGED, AND WHICH HAS BEEN IDENTIFIED, BY CHARACTERISTICS OR LISTING, AS HAZARDOUS PURSUANT 35 Ill. Adm. Code 721. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.15)

"Ignitable material" is a material which meets one or more of the following criteria:

It is a liquid, other than an aqueous solution containing less than 24 percent alcohol by volume and has a flash point less than 60° C (140° F), as determined by a Pensky-Martens Closed Cup Tester, using the test method specified in the American Society for Testing and Materials (ASTM) Method D-93, or a SetaFlash Closed Cup Tester, using the test method specified in ASTM Method D-3828, as incorporated by reference in Section 615.103;

It is not a liquid and is capable, under standard temperature and pressure, of causing fire through friction, absorption of moisture, or spontaneous chemical changes and, when ignited, burns so vigorously and persistently that it creates a hazard;

It is an ignitable compressed gas as defined in 49 CFR 173.300 and as determined by the test methods described in that regulation; or

It is an oxidizer as defined in 49 CFR 173.151.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

"Incompatible material" means a material which may:

Cause corrosion or decay of containment materials (e.g., container inner liners or tank walls); or

When commingled with another material, produces heat or pressure, fire, explosion, violent reaction, toxic dusts, mists, fumes or gases, or flammable fumes or gases.

"Landfill" means a unit or part of a facility where waste is placed in or on land for disposal and which is not a land treatment unit, surface impoundment or an underground injection well.

"Landfill cell" means a discrete volume of a landfill which uses a liner to provide isolation of wastes from adjacent cells or wastes. Examples of landfill cells are trenches or pits.

"LANDSCAPE WASTE" MEANS ALL ACCUMULATIONS OF GRASS OR SHRUBBERY CUTTINGS, LEAVES, TREE LIMBS AND OTHER MATERIALS ACCUMULATED AS THE RESULT OF THE CARE OF LAWNS, SHRUBBERY, VINES AND TREES. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.20)

"Land treatment" means the application of waste onto or incorporation of waste into the soil surface.

"Leachate" means any liquid, including suspended components in the liquid, that has percolated through or drained from a material.

"Licensed water well contractor" means a person licensed under the Water Well and Pump Installation Contractor's License Act (Ill. Rev. Stat., ch. 111 1/2, pars. 7101 et seq., as amended).

"Liner" means a continuous layer of natural or manmade materials beneath or on the side of a surface impoundment, landfill, landfill cell, waste pile, or storage pile which restricts the downward or lateral escape of waste, waste constituents, leachate or stored materials.

"New facility" or "new unit" means a facility or unit which is not an existing facility or unit.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

"NON-COMMUNITY WATER SUPPLY" MEANS A PUBLIC WATER SUPPLY THAT IS NOT A COMMUNITY WATER SUPPLY. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.05)

"Non-special waste" means a waste which is not a special waste.

"Non-public water supply" means a water supply that is not a public water supply.

"Off-site" means not on-site.

"On-site", "on the site", or "on the same same site" means the same or geographically contiguous property which may be divided by public or private right-of-way, provided the entrance and exit between the properties is at a crossroads intersection and access is by crossing as opposed to going along the right-of-way.

Noncontiguous properties owned by the same person but connected by a right-of-way which he controls and to which the public does not have access is also considered on-site property.

"Operator" means the person responsible for the overall operation of a facility or unit.

"Owner" means the person who owns a site or part of a site, or who owns the land on which the site is located.

"PESTICIDE" MEANS ANY SUBSTANCE OR MIXTURE OF SUBSTANCES INTENDED FOR PREVENTING, DESTROYING, REPELLING, OR MITIGATING ANY PEST OR ANY SUBSTANCE OR MIXTURE OF SUBSTANCES INTENDED FOR USE AS A PLANT REGULATOR, DEFOLIANT OR DESICCANT. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.68)

"Pile" means any noncontainerized accumulation of solid, non-flowing material that is used for treatment or storage.

"POTABLE" MEANS GENERALLY FIT FOR HUMAN CONSUMPTION IN ACCORDANCE WITH ACCEPTED WATER SUPPLY PRINCIPLES AND PRACTICES. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.65)

"PUBLIC WATER SUPPLY" MEANS ALL MAINS, PIPES AND STRUCTURES THROUGH WHICH WATER IS OBTAINED AND DISTRIBUTED TO THE PUBLIC, INCLUDING WELLS AND WELL STRUCTURES, INTAKES AND CRIBS, PUMPING STATIONS,

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

TREATMENT PLANTS, RESERVOIRS, STORAGE TANKS AND APPURTENANCES, COLLECTIVELY OR SEVERALLY, ACTUALLY USED OR INTENDED FOR USE FOR THE PURPOSE OF FURNISHING WATER FOR DRINKING OR GENERAL DOMESTIC USE AND WHICH SERVE AT LEAST 15 SERVICE CONNECTIONS OR WHICH REGULARLY SERVE AT LEAST 25 PERSONS AT LEAST 60 DAYS PER YEAR. A PUBLIC WATER SUPPLY IS EITHER A "COMMUNITY WATER SUPPLY" OR A "NON-COMMUNITY WATER SUPPLY". (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.28)

"Reactive material" means a material which meets one or more of the following criteria:

It is normally unstable and readily undergoes violent change without detonating;

It reacts violently with water;

It forms potentially explosive mixtures with water;

When mixed with water, it generates toxic gases, vapors, or fumes in a quantity sufficient to present a danger to human health or the environment;

It is capable of detonation or explosive reaction if it is subject to a strong initiating source, or if heated under confinement;

It is readily capable of detonation or explosive decomposition or reaction at standard temperature and pressure; or

It is a forbidden explosive as defined in 49 CFR 173, or a Class A explosive as defined in 49 CFR 173.53 or a Class B explosive as defined in 49 CFR 173.88.

"Registered land surveyor" means a person registered under the Illinois Land Surveyors Act (Ill. Rev. Stat. 1987, ch. 111, pars. 3201 et seq.).

"Registered professional engineer" means a person registered under the Illinois Professional Engineering Act (Ill. Rev. Stat. 1987, ch. 111, par. 5101 et seq.).

"REGULATED RECHARGE AREA" MEANS A COMPACT GEOGRAPHIC AREA, AS DETERMINED BY THE BOARD pursuant to Section 17.4 of the Act, THE GEOLOGY OF WHICH RENDERS A POTABLE

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

RESOURCE GROUNDWATER PARTICULARLY SUSCEPTIBLE TO CONTAMINATION. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.67)

"Road oil" means slow-curing asphaltic oils which show no separation on standing and which are used for road construction, maintenance or repair.

"Runoff" means any rainwater, leachate or other liquid that drains over land from any part of a facility.

"Run-on" means any rainwater, leachate or other liquid that drains over land onto any part of a facility.

"Secondary containment structure" means any structure or basin intended to contain spills and prevent runoff or leaching from piles, containers, or tanks and related piping.

"SETBACK ZONE" MEANS A GEOGRAPHIC AREA, DESIGNATED PURSUANT TO THIS ACT, CONTAINING A POTABLE WATER SUPPLY WELL OR A POTENTIAL SOURCE OR POTENTIAL ROUTE HAVING A CONTINUOUS BOUNDARY, AND WITHIN WHICH CERTAIN PROHIBITIONS OR REGULATIONS ARE APPLICABLE IN ORDER TO PROTECT GROUNDWATERS. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.61)

"SITE" MEANS ANY LOCATION, PLACE, TRACT OF LAND, AND FACILITIES, INCLUDING BUT NOT LIMITED TO BUILDINGS, AND IMPROVEMENTS USED FOR PURPOSES SUBJECT TO REGULATION OR CONTROL BY THIS ACT OR REGULATIONS THEREUNDER. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.43)

"SPECIAL WASTE" MEANS ANY SOLID, SEMI-SOLID, OR LIQUID WASTE GENERATED FROM A MUNICIPAL, COMMERCIAL, OR INDUSTRIAL WASTEWATER TREATMENT PLANT, WATER SUPPLY TREATMENT PLANT, OR AIR POLLUTION CONTROL FACILITY OR ANY OTHER SUCH WASTE HAVING SIMILAR CHARACTERISTICS AND EFFECTS. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.44)

"STORAGE" means the holding or containment of a material, either on a temporary basis or for a period of years, in such manner as not to constitute disposal of such material. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.46)

"Surface impoundment" means a natural topographical depression, man-made excavation, or diked area that is

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

designed to hold liquid wastes or wastes containing free liquids.

"Surface water" means all water the surface of which is exposed to atmosphere.

"Tank" means a stationary device, designed to contain an accumulation of material which is constructed of non-earthen materials (e.g., wood, concrete, steel, plastic) which provide structural support. The term "tank" does not include areas used to accumulate materials prior to pumping to tanks or containers (i.e., sump pits) or associated piping. The term "tank" does not include vehicles used to transport material.

"Treatment" means any method, technique or process, including neutralization, designed to change the physical, chemical or biological character or composition of any material so as to neutralize such material, or so as to recover energy or material resources from the material or so as to render such material nonhazardous or less hazardous; safer to transport, store or dispose of, or amenable for recovery, amenable for storage or reduced in volume.

"Underground storage tank" means as a storage tank as defined at 35 Ill. Adm. Code 731.101(f).

"UNIT" MEANS ANY DEVICE, MECHANISM, EQUIPMENT, OR AREA (EXCLUSIVE OF LAND UTILIZED ONLY FOR AGRICULTURAL PRODUCTION). (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.62)

"Uppermost aquifer" means the geologic formation nearest the natural ground surface that is an aquifer, as well as lower aquifers that are hydraulically interconnected with this aquifer within the facility boundary.

"WASTE" MEANS ANY GARBAGE, SLUDGE FROM A WASTE TREATMENT PLANT, WATER SUPPLY TREATMENT PLANT, OR AIR POLLUTION CONTROL FACILITY OR OTHER DISCARDED MATERIAL, INCLUDING SOLID, LIQUID, SEMI-SOLID, OR CONTAINED GASEOUS MATERIAL RESULTING FROM INDUSTRIAL, COMMERCIAL, MINING AND AGRICULTURAL OPERATIONS, AND FROM COMMUNITY ACTIVITIES, BUT DOES NOT INCLUDE:

Industrial discharges with NPDES permits issued pursuant to 35 Ill. Adm. Code 309;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Source, spent nuclear, or by-product materials as defined by the Atomic Energy Act of 1954 (42 U.S.C. 2014);

Any solid or dissolved material from any material subject to 62 Ill. Adm. Code 1700 et seq. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.53)

"Waste pile" means a pile consisting of waste which has a total volume greater than 10 cubic yards or which is stored for over 90 days.

"WATERS" MEANS ALL ACCUMULATIONS OF WATER, SURFACE AND UNDERGROUND, NATURAL, AND ARTIFICIAL, PUBLIC AND PRIVATE, OR PARTS THEREOF, WHICH ARE WHOLLY OR PARTLY WITHIN, FLOW THROUGH, OR BORDER UPON THIS STATE. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.56)

"WELL" MEANS A BORED, DRILLED OR DRIVEN SHAFT, OR DUG HOLE, THE DEPTH OF WHICH IS GREATER THAN THE LARGEST SURFACE DIMENSION. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.57)

Section 615.103 Incorporations by Reference

a) The Board incorporates the following material by reference:

- 1) 49 CFR 173 (1988).
- 2) American Society for Testing and Materials (ASTM) Standard D-93-79 or D-93-80, and ASTM Standard D-3828-87 (Available from: ASTM; 1916 Race Street; Philadelphia, PA 19103; (215) 299-5400).
- 3) "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods," EPA Publication No. SW-846 (Second Edition, 1982, as amended by Update I (April, 1984) and Update II (April, 1985)). (Available from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401, (202-783-3238)).

b) This Section incorporates no later amendments or editions.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 615.104 Prohibitions

No person shall cause or allow the construction, use or operation of any facility or unit in violation of the Act or regulations adopted by the Board thereunder, including but not limited to this Part.

Section 615.105 General Exceptions

This Part does not apply to any facility or unit, or to the owner or operator of any facility or unit:

- a) For which the owner or operator obtains certification of minimal hazard pursuant to Section 14.5 of the Act; or
- b) For which different requirements are imposed in an adjusted standard proceeding or as part of a site-specific rulemaking, pursuant to Title VII of the Act.
- c) For which different requirements are imposed in a regulated recharge area proceeding pursuant to Section 17.4 of the Act; or
- d) Which is LOCATED ON THE SAME SITE AS A NON-COMMUNITY WATER SYSTEM WELL AND FOR WHICH THE OWNER IS THE SAME FOR BOTH THE facility or unit AND THE WELL. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1014.4(b)); or
- e) Which is located WITHIN A REGULATED RECHARGE AREA AS DELINEATED in 35 Ill. Adm. Code 617, PROVIDED THAT:
 - 1) THE BOUNDARY OF THE LATERAL AREA OF INFLUENCE OF A COMMUNITY WATER SUPPLY WELL LOCATED WITHIN THE REGULATED RECHARGE AREA does not INCLUDE SUCH facility or unit THEREIN;
 - 2) THE DISTANCE FROM THE WELLHEAD OF THE COMMUNITY WATER SUPPLY TO THE facility or unit EXCEEDS 2500 FEET; AND
 - 3) THE COMMUNITY WATER SUPPLY WELL WAS not IN EXISTENCE PRIOR TO JANUARY 1, 1988.

(Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1014.4(b)).

f) Nothing in this Section shall limit the authority of the Board to impose requirements on any facility or unit within any portion of any setback zone or regulated

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

recharge area as part of any adjusted standard proceeding, site-specific rulemaking or a regulatory proceeding establishing the regulated recharge area.

SUBPART B: GROUNDWATER MONITORING REQUIREMENTS

Section 615.201 Applicability

This Subpart applies to:

- a) Landfill units subject to Subpart D;
- b) Surface impoundments subject to Subpart F;
- c) Pesticide storage and handling units subject to Subpart I;
- d) Fertilizer storage and handling units subject to Subpart J;
- e) Road oil storage and handling units subject to Subpart K; and
- f) De-icing agent storage and handling units subject to Subpart L.

Section 615.202 Compliance Period

The compliance period is the active life of the unit, including closure and post-closure care periods.

- a) The active life begins when the unit first begins operation or on the effective date of this Part, whichever occurs later, and ends when the post-closure care period ends.
- b) The post-closure care period for units other than landfill units is five years after closure, except as provided at Section 615.211(e).
- c) The post-closure care period for landfill units is fifteen years after closure, except as provided at Section 615.211(e) or as may be provided by other Board regulations.
- d) Subsections (b) and (c) notwithstanding, there shall be no post-closure care period if all waste, waste residues, contaminated containment system components and contaminated subsoils are removed or decontaminated at

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

closure, and there is no ongoing corrective action pursuant to Section 615.211.

Section 615.203 Compliance With Groundwater Standards

The owner or operator shall comply with the groundwater standards.

- a) The term of compliance is the compliance period.
- b) Compliance shall be measured at the compliance point, or compliance points if more than one such point exists.

Section 615.204 Groundwater Monitoring System

- a) Except as provided otherwise in subsection (b), the groundwater monitoring system must consist of a sufficient number of wells, installed at appropriate locations and depths to yield groundwater samples from the uppermost aquifer that:
 - 1) Represent the quality of background water that has not been affected by contamination from the facility or unit; and
 - 2) Represent the quality of groundwater at compliance point or points.

1) Represent the quality of background water that has not been affected by contamination from the facility or unit; and

2) Represent the quality of groundwater at compliance point or points.

- b) If a potable well can be used as a monitoring well pursuant to this subsection, no additional monitoring wells are required under this Section. A potable well may be used as a monitoring well if:
 - 1) The unit is located within a setback zone for a potable well other than a community water supply well;
 - 2) The well has been inspected by a licensed water well contractor;
 - 3) The owner or operator of the unit seeking to use the well as a monitoring well certifies to the Agency that the well is constructed in accordance with the Illinois Water Well Construction Code (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 116.111 et seq., as amended) and 35 Ill. Adm. Code 920, or that the well is constructed in accordance with the criteria adopted by the Agency pursuant to 35 Ill. Adm. Code 602.115; and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- c) If a facility contains more than one unit, separate groundwater monitoring systems are not required for each unit, provided that provisions for sampling the groundwater in the uppermost aquifer will enable detection and measurement at the compliance point or points of the contaminants which have entered the groundwater from all units.
- d) Monitoring wells other than potable wells must be designed and constructed in a manner that will enable the collection of groundwater samples during the compliance period. Well casings and screens must be made from durable material resistant to expected chemical or physical degradation, and must be made of materials that do not interfere with the quality of groundwater samples being collected. Well casings and screens must be made from fluorocarbon resins or stainless steel in the saturated zone if volatile organic sampling may be required during the monitoring period. The annular space opposite the screened section of the well (i.e., the space between the bore hole and well screen) must be filled with gravel or sand if necessary to collect groundwater samples. The annular space above the well screen must be sealed to prevent downward migration of water from overlying formations and the surface to the sampled depth.

Section 615.205 Groundwater Monitoring Program

The owner or operator shall develop a groundwater monitoring program which consists of:

- a) Consistent sampling and analysis procedures that are designed to ensure monitoring results that provide a reliable indication of groundwater quality below the unit. At a minimum the program must include procedures and techniques for:
 - 1) Sample collection;
 - 2) Sample preservation and shipment;
 - 3) Analytical procedures; and
 - 4) Chain of custody control.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- b) Sampling and analytical methods which are appropriate for groundwater monitoring and which allow for detection of the contaminants specified pursuant to this Subpart.
- c) A determination of the groundwater head elevation each time groundwater is sampled. A determination of the groundwater head elevation is not required for samples taken from a potable well used as a monitoring well pursuant to Section 615.204(b).
- d) A determination at least annually of the groundwater flow rate and direction in the uppermost aquifer.
- e) If the owner or operator determines that the groundwater monitoring program no longer satisfies the requirements of this Section, the owner or operator shall, within 90 days, make appropriate changes to the program and shall notify the Agency of such changes when submitting the groundwater monitoring reports under Section 615.208.

Section 615.206 Contaminants to be Monitored

- a) The owner or operator shall monitor for all parameters which meet the following criteria, except as provided in subsections (b) and (c):
 - 1) Material containing such parameter is stored, disposed, or otherwise handled at the site; and
 - 2) The Board has adopted a groundwater standard for such parameter.
- b) The owner or operator of a unit subject to Subpart I for the storage and handling of pesticides shall monitor for five specific pesticides or five groups of chemically-similar pesticides stored or handled at the unit that are the most likely to enter into the groundwater from the unit and that are the most toxic. The owner or operator shall choose the five specific pesticides or five groups based upon the following criteria:
 - 1) The volume of material stored or handled at the unit;
 - 2) The leachability characteristics of the pesticides stored or handled at the unit;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 3) The toxicity characteristics of the pesticides stored or handled at the unit;
 - 4) The history of spillage of the pesticides stored or handled at the unit; and
 - 5) The establishment of groundwater standards for the pesticides stored or handled at the unit.
- c) The owner or operator of a unit subject to Subpart J for the storage and handling of fertilizers shall monitor for pH, specific conductance, total organic carbon, nitrates as nitrogen, and ammonia nitrogen.

Section 615.207 Sampling Frequency

- a) The owner or operator shall determine whether groundwater standards have been exceeded at each monitoring well at least quarterly during the compliance period, except as provided otherwise in subsection (b) and Section 615.209(b).
- b) The owner or operator of a unit subject to Subpart K for the storage and handling of road oils or Subpart L for the storage and handling of de-icing agents shall determine whether groundwater standards have been exceeded at each monitoring well at least annually during the compliance period, except as provided at Section 615.209(b).

Section 615.208 Reporting

The owner or operator shall submit results of all monitoring required pursuant to this Subpart to the Agency within 60 days after completion of sampling.

Section 615.209 Non-Compliance Response Program

If monitoring results collected pursuant to Sections 615.206 and 615.207 show that a groundwater standard has been exceeded, the owner or operator shall:

- a) Notify the Agency of this finding when submitting the groundwater monitoring results required pursuant to Section 615.208. The notification must indicate which groundwater standards have been exceeded.
- b) Resample the groundwater within 3 days in all monitoring wells where a groundwater standard has been exceeded and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

redetermine the presence and concentration of each parameter required pursuant to Section 615.206, except that:

- 1) If the unit is subject to Subpart I for the storage and related handling of pesticides, resample the groundwater within 3 days in all monitoring wells where a groundwater standard has been exceeded and determine the presence and concentration in each such sample of each pesticide previously and presently stored or handled at the unit.
- 2) If the unit is subject to Subpart J for the storage and related handling of fertilizers, monitor monthly for the parameters set forth in Section 615.206(c) until the groundwater standard is no longer exceeded.

c) Submit the results of sampling required under subsection (b) when submitting the groundwater results required pursuant to Section 615.208.

d) Prepare an engineering feasibility plan for a corrective action program designed to achieve the requirements of Section 615.211. This report shall be submitted to the Agency within 120 days after the date on which the sample results are submitted to the Agency pursuant to subsection (c), unless:

- 1) None of the parameters identified under subsection (b) exceed the groundwater standards; or
 - 2) The owner or operator makes a demonstration pursuant to Section 615.210.
- e) Begin the correction action program specified in subsection (d) within 120 days after the date on which the sample results are submitted to the Agency pursuant to subsection (c), unless:
- 1) None of the parameters identified under subsection (b) exceed the groundwater standards; or
 - 2) The owner or operator makes a demonstration pursuant to Section 615.210.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 615.210 Alternate Non-Compliance Response Program

If the groundwater sampling required pursuant to Section 615.207 shows that a groundwater standard has been exceeded, it is presumed that contamination from the facility or unit which is being monitored is responsible for the standard being exceeded. An owner or operator may overcome that presumption by making a clear and convincing demonstration that a source other than the facility or unit which is being monitored caused the exceedence or that the exceedence resulted from error in sampling, analysis or evaluation. In making such demonstration the owner or operator shall:

- a) Notify the Agency that the owner or operator intends to make a demonstration under this Section when submitting the groundwater monitoring results required pursuant to Section 615.208.
- b) Submit a report to the Agency which demonstrates that a source other than a facility or unit for which he is the owner or operator caused the groundwater standard to be exceeded, or that the groundwater standard was exceeded due to an error in sampling, analysis or evaluation. Such report must be included with the next submission of groundwater monitoring results required pursuant to Section 615.208; and
- c) Continue to monitor in accordance with the groundwater monitoring program established pursuant to Sections 615.205, 615.206, and 615.207.

Section 615.211 Corrective Action Program

An owner or operator required to conduct a corrective action program pursuant to this Subpart shall:

- a) Begin corrective action within 120 days after the date on which the sample results are submitted to the Agency pursuant to Section 615.209(d).
- b) Take corrective action which results in compliance with the groundwater standards at the compliance point or points.
- c) Establish and implement a groundwater monitoring program to demonstrate the effectiveness of the corrective action program.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- d) Take corrective action which maintains compliance with the groundwater standards:

- 1) At all compliance points; and
- 2) Beyond the facility boundary, where necessary to protect human health and the environment, unless the owner or operator demonstrates to the Agency that, despite the owner's or operator's best efforts, the owner or operator was unable to obtain the necessary permission to undertake such action. The owner or operator is not relieved of responsibility to clean up a release that has migrated beyond the facility boundary where off-site access is denied.

- e) Continue corrective action measures during the compliance period to the extent necessary to ensure that the groundwater protection standard is not exceeded at the compliance point or points. If the owner or operator is still conducting corrective action at the end of the compliance period, the owner or operator shall continue that corrective action for as long as necessary to achieve compliance with the groundwater protection standards. The owner or operator may terminate corrective action measures taken beyond the compliance period as identified at Section 615.202 if the owner or operator can demonstrate, based on data from the groundwater monitoring program under subsection (c), that the groundwater standards have not been exceeded for a period of three consecutive years.

- g) Report in writing to the Agency on the effectiveness of the corrective action program. The owner or operator shall submit these reports semi-annually.

- h) If the owner or operator determines that the corrective action program no longer satisfies the requirements of this Section, the owner or operator shall, within 90 days, make any appropriate changes to the program.

SUBPART C: GENERAL CLOSURE AND POST-CLOSURE REQUIREMENTS

Section 615.301 Applicability

This Subpart applies to:

- a) Landfill units subject to Subpart D;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- b) Surface impoundments subject to Subpart F;
- c) Pesticide storage and handling units subject to Subpart I; and
- d) Fertilizer storage and handling units subject to Subpart J.

Section 615.302 Closure Performance Standard

The owner or operator shall close the unit in a manner that:

- a) Controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of waste, waste constituents, leachate, contaminated runoff or waste decomposition products to the ground;
- b) Minimizes the need for maintenance during and beyond the post-closure care period; and
- c) Complies with the closure requirements of 35 Ill. Adm. Code: Subtitles C and G.

Section 615.303 Certification of Closure

Within 60 days after completion of closure, the owner or operator shall submit to the Agency, by registered or certified mail, a certification that the unit has been closed in accordance with the closure requirements. The certification must be signed by the owner or operator and by an independent registered professional engineer. Documentation supporting the independent registered professional engineer's certification must be furnished to the Agency upon request.

Section 615.304 Survey Plat

No later than the submission of the certification of closure of each unit, the owner or operator shall submit to any local zoning authority, or authority with jurisdiction over local land use, and to the Agency, and record with land titles, a survey plat indicating the location and dimensions of any landfills cells, any other waste disposal units, and any pesticide and fertilizer storage and handling units, with respect to permanently surveyed benchmarks. This plat must be prepared and certified by a registered land surveyor.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 615.305 Post-Closure Notices for Waste Disposal Units

No later than 60 days after certification of closure of the unit, the owner or operator of a unit subject to Subpart D or F shall submit to the Agency, to the County Recorder and to any local zoning authority or authority with jurisdiction over local land use, a record of the type, location and quantity of wastes disposed of within each cell or other area of the unit.

Section 615.306 Certification of Completion of Post-closure Care

No later than 60 days after completion of the established post-closure care period, the owner or operator shall submit to the Agency, by registered or certified mail, a certification that the post-closure care period for the unit was performed in accordance with the specifications in the approved post-closure plan. The certification must be signed by the owner or operator and an independent registered professional engineer. Documentation supporting the independent registered professional engineer's certification must be furnished to the Agency upon request.

Section 615.307 Post-Closure Care Period

The post-closure care for all units except for landfills must continue for five years after closure, or to completion of correction action conducted pursuant Section 615.211, whichever is later. Post-closure care for landfills must continue for fifteen years after closure or to such time as provided by Board regulation, or to completion of correction action conducted pursuant to Section 615.211, whichever is later.

SUBPART D: LANDFILLS

Section 615.401 Applicability

This Subpart applies to existing landfill units which are located wholly or partially within a setback zone or regulated recharge area and which contain special waste or other waste generated on-site, except that this Subpart does not apply to any existing landfill unit which:

- a) Contains solely one or more of the following: hazardous waste, livestock waste, landscape waste, or construction and demolition debris; or
- b) Is exempt from this Part pursuant to Section 615.105.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 615.402 Required Closure of Units Located Within Minimum Setback Zones

No person shall cause or allow the use or operation within a minimum setback zone of any landfill unit commencing two years after the effective date of this Part. Closure shall be completed three years after the effective date of this Part. This Section does not apply to any landfill unit of which the Board expressly finds, in an adjusted standard proceeding, poses no significant hazard to a community water supply well or other potable water supply well.

Section 615.403 Required Closure of Units Located Within Maximum Setback Zones

No person shall cause or allow the use or operation within a maximum setback zone of any landfill unit at which special waste is disposed, commencing two years after the effective date of the ordinance or regulation which establishes the maximum setback zone. Closure shall be completed within three years after the effective date of the ordinance or regulation which establishes the maximum setback zone. This Section does not apply to any landfill unit which the Board expressly finds, in an adjusted standard proceeding, poses no significant hazard to a community water supply well or other potable water supply well.

Section 615.404 Required Closure of Units Located Within Regulated Recharge Areas

No person shall cause or allow the use or operation within a regulated recharge area of any landfill unit which contains special waste and for which the distance from the wellhead of the community water supply well to any part of the landfill unit is 2500 feet or less. This provision becomes effective four years after the date on which the Board establishes the regulated recharge area. Closure shall be completed within five years after the date on which the Board establishes the regulated recharge area. This Section does not apply to any existing landfill unit which the Board expressly finds, in the regulatory proceeding establishing the regulated recharge area, poses no significant hazard to a community water supply well.

Section 615.405 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 615.406 Operating Requirements

The owner or operator shall not cause or allow:

- a) The disposal of incompatible materials in the same landfill cell.
- b) The disposal of bulk or non-containerized liquid waste or waste containing free liquids (whether or not absorbents have been added) in the landfill unit.
- c) The disposal of containerized free liquids in the landfill unit unless:
 - 1) The container is designed to hold free liquids for use other than storage, such as a battery or capacitor; or
 - 2) All free-standing liquid:
 - A) Has been removed by decanting or other methods;
 - B) Has been mixed with absorbent or solidified so that free-standing liquid is no longer observed; or
 - C) Has been otherwise eliminated; or

- 3) The container is the size of an ampule or smaller, and the container is either:

- A) At least 90 percent full when placed in the landfill unit; or
- B) Crushed, shredded or similarly reduced in volume to the maximum practical extent before burial in the landfill unit.

Section 615.407 Closure and Post-Closure Care

- a) The owner or operator shall comply with the requirements of this Section and Subpart C.
- b) At final closure of the landfill or upon closure of any cell, the owner or operator shall cover the landfill or cell with a final cover designed and constructed to:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 1) Provide long-term minimization of migration of liquids through the closed landfill;
 - 2) Function with minimum maintenance;
 - 3) Promote drainage and minimize erosion or abrasion of the cover;
 - 4) Accommodate settling and subsidence so that the cover's integrity is maintained; and
 - 5) Have a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present.
- c) After final closure, the owner or operator shall, for a period of fifteen years, or such longer period set by the Board:
- 1) Maintain the integrity and effectiveness of the final cover, including making repairs to the cap to correct the effects of settling, subsidence, erosion or other events;
 - 2) Continue to operate the leachate collection and removal system; and
 - 3) Prevent run-on and run-off from eroding or otherwise damaging the final cover.

SUBPART E: LAND TREATMENT UNITS

Section 615.421

Applicability

This Subpart applies to existing land treatment units which are located wholly or partially within a setback zone or regulated recharge area and which treat or dispose special waste or other waste generated on-site, except that this Subpart does not apply to any existing land treatment unit which:

- a) Contains solely one or more of the following: hazardous waste, livestock waste, landscape waste, or construction and demolition debris; or
- b) Is exempt from this Part pursuant to Section 615.105.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 615.422 Required Closure of Units Located Within Minimum Setback Zones

No person shall cause or allow the use or operation within a minimum setback zone of any land treatment unit commencing two years after the effective date of this Part. Closure shall be completed within three years after the effective date of this Part. This Section does not apply to any land treatment unit which the Board expressly finds, in an adjusted standard proceeding, poses no significant hazard to a community water supply well or other potable water supply well.

Section 615.423 Required Closure of Units Located Within Maximum Setback Zones

No person shall cause or allow the use or operation within a maximum setback zone of any land treatment unit at which special waste is treated or disposed, commencing two years after the effective date of the ordinance or regulation which establishes the maximum setback zone. Closure shall be completed within three years after the effective date of the ordinance or regulation which establishes the maximum setback zone. This Section does not apply to any land treatment unit which the Board expressly finds, in an adjusted standard proceeding, poses no significant hazard to a community water supply well or other potable water supply well.

Section 615.424 Closure and Post-Closure Care

The owner or operator shall comply with the requirements of Subpart C.

SUBPART F: SURFACE IMPOUNDMENTS

Section 615.441

Applicability

This Subpart applies to existing surface impoundment units which are located wholly or partially within a setback zone or regulated recharge area and which contain special waste or other waste generated on-site, except that this Subpart does not apply to any existing surface impoundment unit which:

- a) Contains solely one or more of the following: hazardous waste, livestock waste, landscape waste, or construction and demolition debris; or
- b) Is exempt from this Part pursuant to Section 615.105.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 615.442 Required Closure of Units Located Within Minimum Setback Zones

No person shall cause or allow the use or operation within a minimum setback zone of any surface impoundment unit commencing two years after the effective date of this Part. Closure shall be completed within three years after the effective date of this Part. This Section does not apply to any surface impoundment unit which the Board expressly finds, in an adjusted standard proceeding, poses no significant hazard to a community water supply well or other potable water supply well.

Section 615.443 Required Closure of Units Located Within Maximum Setback Zones

No person shall cause or allow the use or operation within a maximum setback zone of any surface impoundment unit at which special waste is stored, treated or disposed, commencing two years after the effective date of the ordinance or regulation which establishes the maximum setback zone. Closure shall be completed within three years after the effective date of the ordinance or regulation which establishes the maximum setback zone. This Section does not apply to any surface impoundment unit that the Board expressly finds, in an adjusted standard proceeding, poses no significant hazard to a community water supply well or other potable water supply well.

Section 615.444 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

Section 615.445 Inspection Requirements

While a surface impoundment is in operation, it must be inspected weekly and after storms to detect evidence of any of the following:

- a) Deterioration, malfunctions or improper operation of overtopping control systems;
- b) Sudden drops in the level of the impoundment's contents;
- c) Severe erosion or other signs of deterioration in dikes or other containment devices; or
- d) A leaking dike.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 615.446 Operating Requirements

- a) No person shall cause or allow incompatible materials to be placed in the same surface impoundment unit.
- b) A surface impoundment unit must be removed from service in accordance with subsection (c) when:
 - 1) The level of liquids in the unit suddenly drops and the drop is not known to be caused by changes in the flows into or out of the unit; or
 - 2) The dike leaks.

- c) When a surface impoundment unit must be removed from service as required by subsection (b), the owner or operator shall:
 - 1) Shut off the flow or stop the addition of wastes into the impoundment unit;
 - 2) Contain any surface leakage which has occurred or is occurring;
 - 3) Stop the leak;
 - 4) Take any other necessary steps to stop or prevent catastrophic failure;
 - 5) If a leak cannot be stopped by any other means, empty the impoundment unit; and
 - 6) Notify the Agency of the removal from service and corrective actions that were taken, such notice to be given within 10 days after the removal from service.

- d) No surface impoundment unit which has been removed from service in accordance with the requirements of this Section may be restored to service unless the portion of the unit which failed has been repaired.

- e) A surface impoundment unit which has been removed from service in accordance with the requirements of this Section and that is not being repaired must be closed in accordance with the provisions of Section 615.446.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Subpart 615.447 Closure and Post-Closure Care

- a) If closure is to be by removal, the owner or operator shall remove all waste, all waste residues, contaminated containment system components (liners, etc.), contaminated subsoils and structures and equipment contaminated with waste and leachate; and, if disposed in the State of Illinois, dispose of them at a facility permitted by the Agency.
- b) If closure is not to be by removal, the owner or operator shall comply with the requirements of Subpart C and shall:
 - 1) Eliminate free liquids by removing liquid wastes or solidifying the remaining wastes and waste residues.
 - 2) Stabilize remaining wastes to a bearing capacity sufficient to support final cover.
 - 3) Cover the surface impoundment unit with a final cover designed and constructed to:
 - A) Provide long-term minimization of the migration of liquids through the closed impoundment unit;
 - B) Function with minimum maintenance;
 - C) Promote drainage and minimize erosion or abrasion of the final cover;
 - D) Accommodate settling and subsidence so that the cover's integrity is maintained; and
 - E) Have a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present.
- c) If some waste residues or contaminated materials are left in place at final closure, the owner or operator shall comply with the requirements of Subpart C and shall:
 - 1) Maintain the integrity and effectiveness of the final cover, including making repairs to the cap as necessary to correct the effects of settling, subsidence, erosion or other events;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 2) Maintain and monitor the groundwater monitoring system; and
- 3) Prevent run-on and run-off from eroding or otherwise damaging the final cover.

SUBPART G: WASTE PILES

Section 615.461 Applicability

This Subpart applies to existing waste piles which are located wholly or partially within a setback zone or regulated recharge area and which contain special waste or other waste generated on-site, except that this Subpart does not apply to any existing waste pile which:

- a) Contains solely one or more of the following: hazardous waste, livestock waste, landscape waste, or construction and demolition debris; or
- b) Is exempt from this Part pursuant to Section 615.105.

Section 615.462 Design and Operating Requirements

- a) The owner or operator shall not cause or allow:
 - 1) Disposal or storage in the waste pile of liquids or materials containing free liquids; or
 - 2) Migration and runoff of leachate into adjacent soil, surface water, or groundwater.
- b) A waste pile must comply with the following standards:
 - 1) The waste pile must be under an impermeable membrane or cover that provides protection from precipitation;
 - 2) The waste pile must be protected from surface water run-on; and
 - 3) The waste pile must be designed and operated to control wind dispersal of waste by a means other than wetting.
- c) This Section becomes effective six months after the effective date of this Part.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 615.463 Closure

The owner or operator shall accomplish closure by removing and disposing of all wastes and containment system components (liners, etc.). If disposed in the State of Illinois, the waste and containment system components must be disposed at a disposal site permitted under the Act.

SUBPART H: UNDERGROUND STORAGE TANKS

Section 615.501 Applicability

This Subpart applies to existing underground storage tanks which are located wholly or partially within a setback zone or regulated recharge area and which contain special waste, except that this Subpart does not apply to any existing underground storage tank which:

- a) Pursuant to 35 Ill. Adm. Code 731.110(a) must meet the requirements set forth in 35 Ill. Adm. Code 731, unless such a tank is excluded from those requirements pursuant to 35 Ill. Adm. Code 731.110(b); or
- b) Must have interim status or a RCRA permit under 35 Ill. Adm. Code Subtitle G; or
- c) Is exempt from this Part pursuant to Section 615.105.

Section 615.502 Design and Operating Requirements

Owners and operators of existing underground storage tanks that store special waste shall meet the requirements set forth in 35 Ill. Adm. Code 731. Such requirements must be met even if the tanks are excluded from coverage under 35 Ill. Adm. Code 731 by 35 Ill. Adm. Code 731.110(b). The exclusions set forth in 35 Ill. Adm. Code 731.110(b) shall not apply to any underground storage tank which stores special waste.

SUBPART I: PESTICIDE STORAGE AND HANDLING UNITS

Section 615.601 Applicability

This Subpart applies to any existing unit for the storage and handling of pesticides which is located wholly or partially within a setback zone or regulated recharge area and which:

- a) Is operated for the purpose of commercial application; or

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- b) Stores or accumulates pesticides prior to distribution to retail sales outlets, including but not limited to a unit which is a warehouse or bulk terminal.
- c) Subsections (a) and (b) notwithstanding, this Subpart does not apply to any unit exempt pursuant to Section 615.105.

Section 615.602 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

Section 615.603 Design and Operating Requirements

The owner or operator shall:

- a) Comply with rules adopted by the Department of Agriculture, as set forth in 8 Ill. Adm. Code 255. In the event of a conflict between this Part and 8 Ill. Adm. Code 255, this Part shall control.
- b) Maintain a written record inventorying all pesticides stored or handled at the unit.
- c) At least weekly when pesticides are being stored, inspect storage containers, tanks, vents, valves, and appurtenances for leaks or deterioration caused by corrosion or other factors. If a leak or deterioration is found in any of these devices, the owner or operator must immediately repair or replace the device. The owner or operator shall maintain a written record of all inspections conducted under this Section and of all maintenance relating to leaks and deterioration of these devices.
- d) Store all containers containing pesticides within a secondary containment structure that complies with the design standards set forth in 8 Ill. Adm. Code 255, if such containers are stored outside of a roofed structure or enclosed warehouse.
- e) Maintain all written records required under this Section at the site. The owner or operator shall provide any such record to the Agency upon request.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 615.604 Closure and Post-Closure Care

The owner or operator shall comply with the requirements of Subpart C.

SUBPART J: FERTILIZER STORAGE AND HANDLING AND UNITS

Section 615.621 Applicability

This Subpart applies to any existing unit for the storage and handling of fertilizers which is located wholly or partially within a setback zone or regulated recharge area and which:

- a) Is operated for the purpose of commercial application; or
- b) Stores or accumulates fertilizers prior to distribution to retail sales outlets, including but not limited to a unit which is a warehouse or bulk terminal.
- c) Subsections (a) and (b) notwithstanding, this Subpart does not apply to any unit exempt pursuant to Section 615.105.

Section 615.622 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

Section 615.623 Design and Operating Requirements

The owner or operator shall:

- a) Comply with rules adopted by the Department of Agriculture, as set forth in 8 Ill. Adm. Code 255. In the event of a conflict between this Part and 8 Ill. Adm. Code 255, this Part shall control.
- b) Maintain a written record inventorying all fertilizers stored or handled at the unit.
- c) At least weekly when fertilizers are being stored, inspect storage containers, tanks, vents, valves, and appurtenances for leaks or deterioration caused by corrosion or other factors. If a leak or deterioration is found in any of these devices, the owner or operator shall immediately repair or replace the device. The owner or operator shall maintain a written record of all inspections conducted under this Section and of all

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

maintenance relating to leaks and deterioration of these devices.

- d) Store all containers containing fertilizers (except anhydrous ammonia) within a secondary containment structure that complies with the design standards set forth in 8 Ill. Adm. Code 255, if such containers are stored outside of a roofed structure or enclosed warehouse.
- e) Maintain all written records required under this Section at the site. The owner or operator shall provide any such record to the Agency upon request.

Section 615.624 Closure and Post-Closure Care

The owner or operator shall comply with the requirements of Subpart C.

SUBPART K: ROAD OIL STORAGE AND HANDLING UNITS

Section 615.701 Applicability

This Subpart applies to any existing unit for the storage and related handling of road oils which is located wholly or partially within a setback zone or regulated recharge area and at which greater than 25,000 gallons of road oils are stored or accumulated at any one time, except as otherwise provided in Section 615.105.

Section 615.702 Required Closure of Units Located Within Minimum Setback Zones

- a) No person shall cause or allow the use or operation within a minimum setback zone of any road oil storage and handling unit if the road oils stored and handled at the unit contain wastes.
- b) Subsection (a) is effective two years after the effective date of this Part. Closure shall be completed within three years after the effective date of this Part.
- c) Subsections (a) and (b) do not apply to any unit that the Board expressly finds, in an adjusted standard proceeding, poses no significant hazard to a community water supply well or other potable water supply well.

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

NOTICE OF PROPOSED RULES

Section 615.703 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

Section 615.704 Design and Operating Requirements for Above-Ground Tanks

- a) The owner or operator shall not cause or allow:
 - 1) Materials to be placed in a tank if such materials could cause the tank to rupture, leak, corrode, or otherwise fail.
 - 2) Uncovered tanks to be placed or operated so as to maintain less than 60 centimeters (2 feet) of freeboard unless:
 - A) The tank is equipped with a containment structure (e.g., dike or trench), a drainage control system, or a diversion structure (e.g., standby tank); and
 - B) Such containment structure, drainage control system, or diversion structure has a capacity that equals or exceeds the volume of the top 60 centimeters (2 feet) of the tank.
 - 3) Material to be continuously fed into a tank, unless the tank is equipped with a means to stop this inflow (e.g., a feed cutoff system or a bypass system to a standby tank).
 - 4) Incompatible materials to be placed in the same tank.
 - 5) Material to be placed in a tank which previously held an incompatible material unless the incompatible material has been washed from the tank.
 - 6) Ignitable or reactive material to be placed in a tank unless:
 - A) The material is stored or treated in such a way that it is protected from any material or conditions which may cause it to ignite or react; or

- B) The tank is used solely for emergencies.

- b) The owner or operator shall provide and maintain primary containment for the tank such that:
 - 1) The tank has a minimum shell thickness that ensures that the tank will not fail (i.e., collapse, rupture, etc.).
 - 2) The tank is compatible with the material to be placed in the tank or the tank is lined with a substance that is compatible with the material to be placed on the tank.

- c) The owner or operator shall provide and maintain secondary containment for the tank that:
 - 1) Is capable of containing the volume of the largest tank or 10% of the total volume for all tanks, whichever is greater;
 - 2) Is constructed of material capable of containing a spill until cleanup occurs (e.g., concrete or clay). The base of the secondary containment area must be capable of minimizing vertical migration of a spill until cleanup occurs (e.g., concrete or clay);
 - 3) Has cover (e.g., crushed rock or vegetative growth) on earthen embankments sufficient to prevent erosion; and
 - 4) Isolates the tank from storm water drains and from combined storm water drains and sewer drains.

- d) If incompatible materials are handled at the site secondary containment sufficient to isolate the units containing the incompatible materials must be provided.

- e) The owner or operator of a tank shall also:
 - 1) Test above-ground tanks and associated piping every five years for structural integrity.
 - 2) Remove uncontaminated storm water runoff from the secondary containment area immediately after a precipitation event.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 3) Handle contaminated storm water runoff in accordance with Subpart A of 35 Ill. Adm. Code: Subtitle C.
- 4) Provide a method for obtaining a sample from each tank.
- 5) Install, maintain, and operate a material level indicator on each tank.
- 6) When not in use, lock all gauges and valves that are used to inspect levels in the tank. All such devices must be located within the containment structure.
- f) This Section becomes applicable two years after the effective date of this Part.

Section 615.705 Closure

- a) At closure, all materials must be removed from containers, tanks, discharge control equipment, and discharge confinement structures.
- b) All materials that are to be disposed in the State of Illinois must be disposed at a disposal site permitted under the Act.

SUBPART L: DE-ICING AGENT STORAGE AND HANDLING UNITS

Section 615.721 Applicability

This Subpart applies to any existing facility for the storage and related handling of de-icing agents which is located wholly or partially within a setback zone and at which more than 50,000 pounds of de-icing agent are stored or accumulated at any one time, except as otherwise provided in Section 615.105. For the purpose of this Subpart:

- a) An indoor storage unit means a storage unit with a roof capable of protecting de-icing agents from wind and precipitation;
- b) An outdoor storage unit means a unit for the storage of de-icing agents which is not an indoor storage unit.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 615.722 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

Section 615.723 Design and Operating Requirements

- a) Indoor facilities must comply with the following standards beginning two years after the effective date of this Part:
 - 1) The base of the facility must be constructed of materials capable of containing de-icing agents (i.e., bituminous or concrete pad).
 - 2) The roof and walls of the facility must be constructed of materials capable of protecting the storage pile from precipitation and capable of preventing dissolved de-icing agents from entering into the adjacent soil, surface water, or groundwater. The walls of the facility must be constructed of materials compatible with the de-icing agents to be placed in the facility. Run-off from the roof must be diverted away from the loading pad.
 - 3) All areas surrounding the storage pile, including but not limited to the loading pad, must be routinely inspected to determine whether any release of de-icing agents has occurred. Such areas shall be cleaned as necessary. Spilled de-icing agents must be placed back under the protective covering of the indoor storage pile. The storage pile must be reshaped as often as necessary to prevent leaching.
 - 4) The integrity of the facility and loading pad must be maintained.
 - 5) All areas surrounding the storage facility must be inspected daily to determine whether any release of de-icing agents has occurred. Spilled de-icing agents must be placed back into the storage facility.
- b) Outdoor facilities or units must comply with the following standards beginning two years after the effective date of this Part:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 1) An impermeable membrane or cover must be placed over all storage piles to protect the piles from precipitation and surface water run-on. The membrane or cover must prevent run-off and leachate from being generated by the outdoor storage piles. The piles must be formed in a conical shape, covered and stored on a paved pad capable of preventing leachate from entering adjacent soil, surface water, or groundwater.
- 2) Surface drainage must be directed to prevent flow through the base of the storage piles. De-icing agents must not be stored where drainage may enter into water supplies, farm lands or streams.
- 3) All areas surrounding the storage piles must be cleaned and must be inspected daily to determine whether any release of de-icing agents has occurred. Spilled de-icing agents must be placed back under the protective covering of the outdoor storage piles. The storage piles must be reshaped as often as necessary to prevent leaching.
- 4) The storage piles must be designed and operated to control wind dispersal of the product by means other than wetting.

Section 615.724 Closure

- a) At closure, all de-icing agents must be removed from the site, discharge control equipment and discharge confinement structures.
- b) All de-icing agents that are to be disposed in the State of Illinois must be disposed at a disposal site permitted under the Act.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- 1) The Heading of the Part: Hearings Pursuant To Specific Rules
- 2) Code Citation: 35 Ill. Adm. Code 106
- 3) Section Number: Proposed Action:
106.415 Amendment
106.506 Amendment
106.602 Amendment
106.604 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111, par. 1026.
- 5) A Complete Description of the Subjects and Issues Involved:
In docket R88-5(B), the Board is proposing repeal of its existing procedural rules on regulatory proceedings at Part 102. Because four sections in Part 106 contain cross-references to Part 102, the Board is proposing non-substantive revisions to those sections, inserting the correct reference to Part 102.
- 6) Will this proposed rule replace an emergency rule currently in effect? Yes ☒ No ☐
- 7) Does this rulemaking contain an automatic repeal date? If "yes," please specify the date: _____
- 8) Does this proposed amendment contain incorporations by reference? Yes ☐ No ☐
- 9) Are there any other amendments pending on this Part? Yes ☐ No ☐
- 10) Section Number Proposed Action Illinois Register Citation
Statement of Statewide Policy Objective (if applicable)?
The Board is proposing non-substantive revisions to four sections of this Part, merely to correct references to Part 102. The Board does not believe that these proposed amendments will impose additional expenditures on units of local government.
- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:
The Board will accept written public comment on this proposal for 45 days after the date of this publication. Comments should refer to Docket R88-5(B) and be sent to Ms. Dorothy M. Gunn, Clerk, Illinois Pollution Control Board, Suite 11-500, 100 West Randolph, Chicago, Illinois 60601.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

12) Initial Regulatory Flexibility Analysis (if applicable):

- A) Date rule submitted to Small Business Office:
September 6, 1989.
- B) Types of small businesses affected:
The proposed amendments are non-substantive revisions to the Board's procedural rules. No small businesses are affected by the proposed revisions themselves.
- C) Reporting, bookkeeping for compliance: None
- D) Professional skills necessary for compliance: None

The full text of the Proposed Amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE A: GENERAL PROVISIONS
CHAPTER 1: POLLUTION CONTROL BOARD

PART 106

HEARINGS PURSUANT TO SPECIFIC RULES

SUBPART A: HEATED EFFLUENT DEMONSTRATIONS

Section
106.101
106.102
106.103
106.104
106.105
106.106
106.107

Petition
Requirements for Petition
Parties
Recommendation
Notice and Hearing
Transcripts
Opinion and Order

SUBPART B: ARTIFICIAL COOLING LAKE DEMONSTRATIONS

Section
106.201
106.202
106.203
106.204

Petition
Notice and Hearing
Transcripts
Effective Date

SUBPART C: SULFUR DIOXIDE DEMONSTRATIONS

Section
106.301
106.302
106.303
106.304
106.305
106.306

Petition
Requirements for Petition
Parties
Recommendation
Notice and Hearing
Transcripts

SUBPART D: RCRA ADJUSTED STANDARD PROCEDURES

Section
106.401
106.402
106.403
106.404
106.405
106.406
106.407
106.408
106.410
106.411

Petition (Repealed)
Notice of Petition (Repealed)
Recommendation (Repealed)
Response (Repealed)
Public Comment (Repealed)
Public Hearings (Repealed)
Decision (Repealed)
Appeal (Repealed)
Scope and Applicability
Joint or Single Petition

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

106.412 Request to Agency to Join as Co-Petitioner
 106.413 Contents of Petition
 106.414 Response and Reply
 106.415 Notice and Conduct of Hearing
 106.416 Opinions and Orders

SUBPART E: AIR ADJUSTED STANDARD PROCEDURES

Section
 106.501 Scope and Applicability
 106.502 Joint or Single Petition
 106.503 Request to Agency to Join As Co-Petitioner
 106.504 Contents of Petition
 106.505 Response and Reply
 106.506 Notice and Conduct of Hearing
 106.507 Opinions and Orders

SUBPART F: WATER WELL SETBACK EXCEPTION PROCEDURES

Section
 106.601 Scope and Applicability
 106.602 Contents of Petition
 106.603 Response and Reply
 106.604 Notice and Conduct of Hearing
 106.605 Opinions and Orders

SUBPART G: ADJUSTED STANDARDS

Section
 106.701 Applicability
 106.702 Definitions
 106.703 Joint or Single Petition
 106.704 Request to Agency to Join As Co-Petitioner
 106.705 Petition Contents
 106.706 Petition Verification
 106.707 Federal Procedural Requirements
 106.708 Incorporated Material
 106.709 Motions
 106.710 Service of Filings
 106.711 Petition Notice
 106.712 Proof of Petition Notice
 106.713 Request for Public Hearing
 106.714 Agency Response
 106.715 Amended Petition and Amended Response
 106.801 Hearing Scheduled
 106.802 Hearing Notice
 106.803 Pre-Hearing Submission of Testimony and Exhibits
 106.804 Discovery
 106.805 Admissible Evidence

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

106.806 Order of Hearing
 106.807 Post-hearing Comments
 106.808 Burden of Proof
 106.901 Board Deliberations
 106.902 Dismissal of Petition
 106.903 Board Decision
 106.904 Opinion and Order
 106.905 Appeal of Board Decisions
 106.906 Publication of Adjusted Standards
 106.907 Effect of Filing a Petition

Appendix A Old Rule Numbers Referenced

AUTHORITY: Implementing Sections 5, 14.2(c), 22.4, 27, 28 and 28.1 and authorized by Section 26 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111, pars. 1005, 1014.2(c), 1022.4, 1027, 1028, 1028.1 and 1026).

SOURCE: Filed with Secretary of State January 1, 1978; amended at 4 Ill. Reg. 2, page 186, effective December 27, 1979; codified at 6 Ill. Reg. 8357; amended in R85-22 at 10 Ill. Reg. 992, effective February 2, 1986; amended in R86-46 at 11 Ill. Reg. 13457, effective August 4, 1987; amended in R88-1 at 12 Ill. Reg. 12484, effective July 13, 1988; amended in R88-10 at 12 Ill. Reg. 12817, effective July 21, 1988; amended in R88-5(A) at 13 Ill. Reg. 12055, effective July 10, 1989; amended in R88-5(B) at ___ Ill. Reg. ___, effective ____.

NOTE: Capitalization denotes statutory language.

SUBPART D: RCRA ADJUSTED STANDARD PROCEDURES

Section 106.415 Notice and Conduct of Hearing

- a) The Board will hold at least one public hearing prior to granting an adjusted standard.
- b) The hearing officer will schedule the hearing. The Clerk will give notice of hearing in accordance with 35 Ill. Adm. Code ~~102-160~~ 102.162.
- c) The proceeding will be in accordance with 35 Ill. Adm. Code ~~102-160~~ through ~~102-164~~ 102.Subpart J.

(Source: Amended at ___ Ill. Reg. ___, effective ____)

SUBPART E: AIR ADJUSTED STANDARD PROCEDURES

Section 106.506 Notice and Conduct of Hearing

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- a) The Board will hold at least one public hearing prior to granting an adjusted standard.
- b) The hearing officer will schedule the hearing. The Clerk will give notice of hearing in accordance with 35 Ill. Adm. Code ~~102-122~~ 102.162.
- c) The proceedings will be in accordance with 35 Ill. Adm. Code ~~102-160 through 102-164~~ 102.Subpart J.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

SUBPART F: WATER WELL SETBACK EXCEPTION PROCEDURES

Section 106.602 Contents of Petition

- a) The petitioner shall file ten copies of the petition for exception with the Clerk of the Pollution Control Board (Board), and shall serve one copy upon the Agency.

- b) The petition shall contain the following information:

- 1. A written statement, signed by the petitioner or an authorized representative, outlining the scope of the evaluation, the nature of, the reasons for and the basis of the exception, consistent with the level of justification contained in Section 14.2(c) of the Act.

- 2. The nature of the petitioner's operations and control equipment; and

- 3. Any additional information which may be required in Section 14.2(c) of the Act.

- c) In accordance with 35 Ill. Adm. Code ~~103-123~~ 101.143 the petition shall contain proof of service on owners required to be notified and provided with a copy of the petition as required by Section 14.2(c) of the Act.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

Section 106.604 Notice and Conduct of Hearing

- a) The Board will hold at least one public hearing prior to granting an exception.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENTS

- b) The hearing officer will schedule the hearing. The Clerk will give notice of hearing in accordance with 35 Ill. Adm. Code ~~102-122~~ 102.162.
- c) The proceedings will be in accordance with 35 Ill. Adm. Code ~~102-160 through 102-164~~ 102.Subpart J.

(Source: Amended at ___ Ill. Reg. ___, effective ___)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Introduction
- 2) Code Citation: 35 Ill. Adm. Code 601
- 3) Section Numbers: Proposed Action:
601.105 Amendment

- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1017 and 1027.

- 5) A Complete Description of the Subjects and Issues Involved:

The proposed amendments to Part 601 are part of a proceeding entitled, Groundwater Protection: Regulations For Existing and New Activities Within Setback Zones and Regulated Recharge Areas, Board docket R89-5. The purpose of these proposed amendments is to replace the existing definition of "groundwater" contained in Part 601 with the current definition contained in the Environmental Protection Act. Other related rulemakings are proposed new Parts 615, 616, and 617 and are contained in separate notices pertaining to those parts. A description is also contained in the Board's Opinion and Order of August 31, 1989, R89-5, which is available from the Clerk of the Board, at the address indicated below (see #11).

- 6) Will these proposed amendments replace emergency amendments currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Do these proposed amendments contain incorporations by reference? No
- 9) Are there any other amendments pending on this Part? Yes.
The Board has proposed amendments in Board Docket R84-12.

Section Numbers	Proposed Action	Illinois Register Citation
601.105 Amendment	13 Ill. Reg. 262	1/13/89

- 10) Statement of Statewide Policy Objectives:

The proposed amendments would not require a local government to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a minimum of 45 days after the date of this publication. Comments should reference Docket R89-5 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

- 12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs:

September 8, 1989

- B) Types of small businesses affected:

There are no known small businesses which would be affected by these amendments.

- C) Reporting, bookkeeping or other procedures required for compliance:

There are no new reporting, bookkeeping or other procedures contained in these proposed amendments.

- D) Types of professional skills necessary for compliance:

The proposed amendments contain a change in a definition only. There are no professional skills necessary for compliance. Compliance with existing regulations in Subtitle F may require the services of an attorney, chemist, and professional engineer.

The full text of the Proposed Amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 601
INTRODUCTION

- Section 601.101 General Requirements
- 601.102 Applicability
- 601.103 Severability
- 601.104 Analytical Testing
- 601.105 Definitions

APPENDIX References to Former Rules

AUTHORITY: Implementing Section 17 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1017 and 1027).

SOURCE: Filed with Secretary of State January 1, 1978; amended at 2 Ill. Reg. 36, p. 72, effective August 29, 1978; amended at 3 Ill. Reg. 13, p. 236, effective March 30, 1979; amended and codified at 6 Ill. Reg. 11497, effective September 14, 1982; amended at 6 Ill. Reg. 14344, effective November 3, 1982; amended at ____ Ill. Reg. ____, effective ____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

Section 601.105 Definitions

For purposes of this Chapter:

"Act" means the Environmental Protection Act, as amended, (Ill. Rev. Stat. 1981, ch. 111 1/2, pars. 1001 et seq.).

"Agency" means the Illinois Environmental Protection Agency.

"Board" means the Illinois Pollution Control Board.

"Boil Order" means a notice to boil all drinking and culinary water for at least five minutes before use, issued by the proper authorities to the consumers of a public water supply affected, whenever the water being supplied may have become bacteriologically contaminated.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

"Certified Laboratory" means any laboratory approved by the Agency or the Illinois Department of Public Health for the specific parameters to be examined, as set out in rules adopted pursuant to the Administrative Procedure Act, (Ill. Rev. Stat. 1981, ch. 127, pars. 1001 et seq.).

"Chemical Analysis" means analysis for any inorganic or organic substance, with the exception of radiological or microbiological analyses.

"Confined Geologic Formations" are geologic water bearing formations protected against the entrance of contamination by other geologic formations.

"Disinfectant" means any oxidant, including but not limited to chlorine, chlorine dioxide, chloramines, and ozone, added to water in any part of the treatment or distribution process, which is intended to kill or inactivate pathogenic microorganisms.

"Dose Equivalent" means the product of the absorbed dose from ionizing radiation and such factors as account for differences in biological effectiveness due to the type of radiation and its distribution in the body as specified by the International Commission on Radiological Units and Measurements (ICRU).

"Gross Alpha Particle Activity" means the total radioactivity due to alpha particle emission as inferred from measurements on a dry sample.

"Gross Beta Particle Activity" means the total radioactivity due to beta particle emission as inferred from measurements on a dry sample.

"Ground Water" means all natural or artificially introduced waters found below the ground surface, including water from dug, drilled, bored or driven wells, infiltration lines, and springs. "GROUNDWATER" MEANS UNDERGROUND WATER WHICH OCCURS WITHIN THE SATURATED ZONE AND GEOLOGIC MATERIALS WHERE THE FLUID PRESSURE IN THE PORE SPACE IS EQUAL TO OR GREATER THAN ATMOSPHERIC PRESSURE. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.64)

"Halogen" means one of the chemical elements chlorine, bromine or iodine.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

"Man-Made Beta Particle and Photon Emitters" means all radionuclides emitting beta particles and/or photons listed in Maximum Permissible Body Burdens and Maximum Permissible Concentration of Radionuclides in Air or Water for Occupational Exposure, National Bureau of Standards (NBS) Handbook 69, except the daughter products of thorium-232, uranium-235 and uranium-238.

"Maximum Total Trihalomethane Potential (MTP)" means the maximum concentration of total trihalomethanes produced in a given water containing a disinfectant residual after 7 days at a temperature of 25°C or above.

"Official Custodian" means any officer of an organization which is the owner or operator of a public water supply, and who has direct administrative responsibility for the supply.

"Persistent Contamination" exists when analysis for total coliform is positive in one or more samples of a routine sample set, and when three or more subsequent check samples indicate the presence of contamination.

"PicoCurie (pCi)" means that quantity of radioactive material producing 2.22 nuclear transformations per minute.

"Recurring Contamination" exists when analysis of total coliform is positive in one or more samples of a routine sample set, if this occurs four or more times in a calendar year.

"Rem" means the unit of dose equivalent from ionizing radiation to the total body or any internal organ or organ system. A "millirem (mrem)" is 1/1000 of a rem.

"Re-sell Water" means to deliver or provide potable water, obtained from a public water supply subject to these regulations, to the consumer, who is then individually or specifically billed for water service, or where any monetary assessment is levied or required and specifically used for water service. Water supply facilities owned or operated by political subdivisions, homeowners associations, and not-for-profit associations, as well as privately owned utilities regulated by the Illinois Commerce Commission, are considered to sell water whether or not a charge is specifically made for water.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED AMENDMENT

"Service Connection" is the opening, including all fittings and appurtenances, at the water main through which water is supplied to the user.

"Surface Water" means all tributary streams and drainage basins, including natural lakes and artificial reservoirs, which may affect a specific water supply above the point of water supply intake.

"Surface Water Supply Source" means any surface water used as a water source for a public water supply.

"Supply" means a public water supply.

"Total Trihalomethanes (TTHM)" means the sum of the concentration in milligrams per liter of the trihalomethane compounds trichloromethane (chloroform), dibromochloromethane, bromodichloromethane and tribromomethane (bromoform), rounded to two significant figures.

"Trihalomethane (THM)" means one of the family of organic compounds named as derivatives of methane, wherein three of the four hydrogen atoms in methane are each substituted by a halogen atom in the molecular structure.

"Water Main" means any pipe for the purpose of distributing potable water which serves or is accessible to more than one property, dwelling, or rental unit, and is exterior to buildings.

(Source: Amended in R89-5 at _____ Ill. Reg. _____ effective _____)

1) Heading of the Part: New Activities In A Setback Zone or Regulated Recharge Area

2) Code Citation: 35 Ill. Adm. Code 616

3) Section Numbers: Proposed Action:

616.101 New Section
616.102 New Section
616.103 New Section
616.104 New Section
616.105 New Section
616.201 New Section
616.202 New Section
616.203 New Section
616.204 New Section
616.205 New Section
616.206 New Section
616.207 New Section
616.208 New Section
616.209 New Section
616.210 New Section
616.211 New Section
616.301 New Section
616.302 New Section
616.303 New Section
616.304 New Section
616.305 New Section
616.306 New Section
616.307 New Section
616.401 New Section
616.402 New Section
616.403 New Section
616.404 New Section
616.405 New Section
616.406 New Section
616.407 New Section
616.408 New Section
616.421 New Section
616.422 New Section
616.423 New Section
616.424 New Section
616.425 New Section
616.441 New Section
616.442 New Section
616.443 New Section
616.444 New Section
616.445 New Section
616.446 New Section

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

616.447 New Section
616.461 New Section
616.462 New Section
616.463 New Section
616.464 New Section
616.501 New Section
616.502 New Section
616.601 New Section
616.602 New Section
616.603 New Section
616.604 New Section
616.605 New Section
616.621 New Section
616.622 New Section
616.623 New Section
616.624 New Section
616.625 New Section
616.701 New Section
616.702 New Section
616.703 New Section
616.704 New Section
616.705 New Section
616.721 New Section
616.722 New Section
616.723 New Section
616.724 New Section
616.725 New Section

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1005, 1014.4, 1021, 1022 and 1027.

5) A Complete Description of the Subjects and Issues Involved:

Pursuant to legislative mandate contained in the Groundwater Protection Act and the Environmental Protection Act, the Board is proposing these rules for new activities within setback zones and regulated recharge areas as defined in the proposed rules. The issues which the Board must consider include those issues contained in Section 14.4(d) of the Environmental Protection Act.

Other related rulemakings are proposed new Parts 615 and 617 and proposed amendments to Part 601 and are contained in separate notices pertaining to those parts.

A complete description of the subjects and issues involved is contained in the Board's Opinion and Order of August 31, 1989, Board Docket, R89-5, which is available from the Clerk of the Board, at the address indicated below (see #11).

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rule contain incorporations by reference? Yes. Section 616.103 incorporates standards and guidelines of nationally recognized organizations and rules and guidelines of federal agencies.
- 9) Are there any other amendments pending on this Part? No.

10) Statement of Statewide Policy Objectives:

The rulemaking is mandated by Section 14.4 of the Environmental Protection Act. Statements of statewide policy objectives are set forth in Section 14.4 of the Environmental Protection Act and Section 7452 of the Groundwater Protection Act. This rulemaking imposes mandates on units of local government only to the extent that they may be involved in any of the activities described in the proposed rules including landfilling, land treating, surface impounding, and piling of wastes; or the use of underground storage tanks or pesticide, fertilizer, road oil or de-icing agent storage and handling units, as specified in the proposed rules.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a minimum of 45 days after the date of this publication. Comments should reference Docket R89-5 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs:
September 8, 1989

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

B) Types of small businesses affected:

Small businesses may be affected to the extent that they may be involved in any of the activities described in the proposed rules including landfilling, land treating, surface impounding, and piling of wastes; or the use of underground storage tanks, or the use of pesticide, fertilizer, road oil, or de-icing agent storage and handling units.

C) Reporting, bookkeeping or other procedures required for compliance:

The proposed rules require reporting, bookkeeping and other procedures, including sampling, analysis, and other monitoring requirements and preparation of certification documents.

D) Types of professional skills necessary for compliance:

Compliance with the proposed rules may require the services of an attorney and chemist, and does require the services of a registered professional engineer and registered land surveyor.

The full text of the Proposed Rules begin on the next page:

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

NOTICE OF PROPOSED RULES

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 616

NEW ACTIVITIES IN A SETBACK ZONE OR REGULATED RECHARGE AREA

SUBPART A: GENERAL

SUBPART E: LAND TREATMENT UNITS

Section
616.101
616.102
616.103
616.104
616.105

Purpose
Definitions
Incorporations by Reference
Exceptions to Prohibitions
General Exceptions

SUBPART B: GROUNDWATER MONITORING REQUIREMENTS

SUBPART F: SURFACE IMPOUNDMENTS

Section
616.201
616.202
616.203
616.204
616.205
616.206
616.207

Applicability
Compliance Period
Compliance With Groundwater Standards
Groundwater Monitoring System
Groundwater Monitoring Program
Reporting
Establishing Background Values and Maximum Allowable Results (MAR)

616.208 Continued Sampling
616.209 Non-Compliance Response Program
616.210 Alternate Non-Compliance Response Program
616.211 Corrective Action Program

SUBPART C: GENERAL CLOSURE AND POST-CLOSURE REQUIREMENTS

Section
616.301
616.302
616.303
616.304
616.305
616.306
616.307

Applicability
Closure Performance Standard
Certificate of Closure
Survey Plat
Post-Closure Notice for Waste Disposal Units
Certification of Completion of Post-Closure Care
Post-closure Care Period

SUBPART D: LANDFILLS

Section
616.401
616.402
616.403

Applicability
Prohibitions
Groundwater Monitoring

616.404 Design and Operating Requirements
616.405 Monitoring and Inspection
616.406 Surveying and Recordkeeping
616.407 Operating Requirements
616.408 Closure and Post-Closure Care

Section
616.421
616.422
616.423
616.424
616.425

Applicability
Prohibitions
Groundwater Monitoring
Design and Operating Requirements
Closure and Post-Closure Care

Section
616.441
616.442
616.443
616.444
616.445
616.446
616.447

Applicability
Prohibitions
Groundwater Monitoring
Design and Operating Requirements
Inspection Requirements
Operating Requirements
Closure and Post-Closure Care

SUBPART G: WASTE PILES

Section
616.461
616.462
616.463
616.464

Applicability
Prohibitions
Design and Operating Requirements
Closure

SUBPART H: UNDERGROUND STORAGE TANKS

Section
616.501
616.502

Applicability
Design and Operating Requirements

SUBPART I: PESTICIDE STORAGE AND HANDLING UNITS

Section
616.601
616.602
616.603
616.604
616.605

Applicability
Prohibitions
Groundwater Monitoring
Design and Operating Requirements
Closure and Post-Closure Care

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

SUBPART J: FERTILIZER STORAGE AND HANDLING UNITS

Section

- 616.621 Applicability
- 616.622 Prohibitions
- 616.623 Groundwater Monitoring
- 616.624 Design and Operating Requirements
- 616.625 Closure and Post-Closure Care

SUBPART K: ROAD OIL STORAGE AND HANDLING UNITS

Section

- 616.701 Applicability
- 616.702 Prohibitions
- 616.703 Groundwater Monitoring
- 616.704 Design and Operating Requirements
- 616.705 Closure

SUBPART L: DE-ICING AGENT STORAGE AND HANDLING UNITS

Section

- 616.721 Applicability
- 616.722 Prohibitions
- 616.723 Groundwater Monitoring
- 616.724 Design and Operating Requirements for Indoor Storage Facilities
- 616.725 Closure

AUTHORITY: Implementing Sections 5, 14.4, 21, and 22, and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1005, 1014.4, 1021, 1022, and 1027).

SOURCE: Adopted at R89-5 ____ Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

SUBPART A: GENERAL

Section 616.101 Purpose

This Part prescribes requirements and standards for the protection of groundwater for certain types of new facilities or units located wholly or partially within a setback zone regulated by the Act or within a regulated recharge area as delineated pursuant to Section 17.4 of the Act.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 616.102 Definitions

Except as stated in this Section, and unless a different meaning of a word or term is clear from the context, the definition of words or terms in this Part shall be the same as those used in 35 Ill. Adm. Code 615.102, the Act, or the Illinois Groundwater Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 7451 et seq.).

"CONSTRUCTION COMMENCED" MEANS WHEN ALL NECESSARY FEDERAL, STATE AND LOCAL APPROVALS HAVE BEEN OBTAINED, AND WORK AT THE SITE HAS BEEN INITIATED AND PROCEEDS IN A REASONABLY CONTINUOUS MANNER TO COMPLETION. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.58)

"NEW POTENTIAL ROUTE" MEANS:

A POTENTIAL ROUTE WHICH IS NOT IN EXISTENCE OR FOR WHICH CONSTRUCTION HAS NOT COMMENCED AT ITS LOCATION AS OF JANUARY 1, 1988, OR

A POTENTIAL ROUTE WHICH EXPANDS LATERALLY BEYOND THE CURRENTLY PERMITTED BOUNDARY OR, IF THE POTENTIAL ROUTE IS NOT PERMITTED, THE BOUNDARY IN EXISTENCE AS OF JANUARY 1, 1988.

(Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.58)

"POTENTIAL ROUTE" MEANS ABANDONED AND IMPROPERLY PLUGGED WELLS OF ALL KINDS, DRAINAGE WELLS, ALL INJECTION WELLS, INCLUDING CLOSED LOOP HEAT PUMP WELLS, AND ANY EXCAVATION FOR THE DISCOVERY, DEVELOPMENT OR PRODUCTION OF STONE, SAND OR GRAVEL. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.58)

"POTENTIAL PRIMARY SOURCE" MEANS ANY UNIT AT A FACILITY OR SITE NOT CURRENTLY SUBJECT TO A REMOVAL OR REMEDIAL ACTION WHICH:

IS UTILIZED FOR THE TREATMENT, STORAGE, OR DISPOSAL OF ANY HAZARDOUS OR SPECIAL WASTE NOT GENERATED AT THE SITE; OR

IS UTILIZED FOR THE DISPOSAL OF MUNICIPAL WASTE NOT GENERATED AT THE SITE, OTHER THAN LANDSCAPE WASTE AND CONSTRUCTION AND DEMOLITION DEBRIS; OR

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

IS UTILIZED FOR THE LANDFILLING, LAND TREATING, SURFACE IMPOUNDING OR PILING OF ANY HAZARDOUS OR SPECIAL WASTE THAT IS GENERATED ON THE SITE OR AT OTHER SITES OWNED, CONTROLLED OR OPERATED BY THE SAME PERSON; OR

STORES OR ACCUMULATES AT ANY TIME MORE THAN 75,000 POUNDS ABOVE GROUND, OR MORE THAN 7,500 POUNDS BELOW GROUND, OF ANY HAZARDOUS SUBSTANCES.

(Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.59)

"NEW POTENTIAL PRIMARY SOURCE" MEANS:

A POTENTIAL PRIMARY SOURCE WHICH IS NOT IN EXISTENCE OR FOR WHICH CONSTRUCTION HAS NOT COMMENCED AT ITS LOCATION AS OF JANUARY 1, 1988; OR

A POTENTIAL PRIMARY SOURCE WHICH EXPANDS LATERALLY BEYOND THE CURRENTLY PERMITTED BOUNDARY OR, IF THE PRIMARY SOURCE IS NOT PERMITTED, THE BOUNDARY IN EXISTENCE AS OF JANUARY 1, 1988; OR

A POTENTIAL PRIMARY SOURCE WHICH IS PART OF A FACILITY THAT UNDERGOES MAJOR RECONSTRUCTION. SUCH RECONSTRUCTION SHALL BE DEEMED TO HAVE TAKEN PLACE WHERE THE FIXED CAPITAL COST OF THE NEW COMPONENTS CONSTRUCTED WITHIN A 2-YEAR PERIOD EXCEED 50% OF THE FIXED CAPITAL COST OF A COMPARABLE ENTIRELY NEW FACILITY.

(Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.59)

"POTENTIAL SECONDARY SOURCE" MEANS ANY UNIT AT A FACILITY OR A SITE NOT CURRENTLY SUBJECT TO A REMOVAL OR REMEDIAL ACTION, OTHER THAN A POTENTIAL PRIMARY SOURCE, WHICH:

IS UTILIZED FOR THE LANDFILLING, LAND TREATING, OR SURFACE IMPOUNDING OF WASTE THAT IS GENERATED ON THE SITE OR AT OTHER SITES OWNED, CONTROLLED OR OPERATED BY THE SAME PERSON, OTHER THAN LIVESTOCK AND LANDSCAPE WASTE, AND CONSTRUCTION AND DEMOLITION DEBRIS; OR

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

STORES OR ACCUMULATES AT ANY TIME MORE THAN 25,000 BUT NOT MORE THAN 75,000 POUNDS ABOVE GROUND, OR MORE THAN 2,500 BUT NOT MORE THAN 7,500 POUNDS BELOW GROUND, OF ANY HAZARDOUS SUBSTANCES; OR

STORES OR ACCUMULATES AT ANY TIME MORE THAN 25,000 GALLONS ABOVE GROUND, OR MORE THAN 500 GALLONS BELOW GROUND, OF PETROLEUM, INCLUDING CRUDE OIL OR ANY FRACTION THEREOF WHICH IS NOT OTHERWISE SPECIFICALLY LISTED OR DESIGNATED AS A HAZARDOUS SUBSTANCE; OR

STORES OR ACCUMULATES PESTICIDES, FERTILIZERS, OR ROAD OILS FOR PURPOSES OF COMMERCIAL APPLICATION OR FOR DISTRIBUTION TO RETAIL SALES OUTLETS; OR

STORES OR ACCUMULATES AT ANY TIME MORE THAN 50,000 POUNDS OF ANY DE-ICING AGENT; OR

IS UTILIZED FOR HANDLING LIVESTOCK WASTE OR FOR TREATING DOMESTIC WASTEWATERS OTHER THAN PRIVATE SEWAGE DISPOSAL SYSTEMS AS DEFINED IN THE "PRIVATE SEWAGE DISPOSAL LICENSING ACT".

(Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.60)

"NEW POTENTIAL SECONDARY SOURCE" MEANS:

A POTENTIAL SECONDARY SOURCE WHICH IS NOT IN EXISTENCE OR FOR WHICH CONSTRUCTION HAS NOT COMMENCED AT ITS LOCATION AS OF JULY 1, 1988; OR

A POTENTIAL SECONDARY SOURCE WHICH EXPANDS LATERALLY BEYOND THE CURRENTLY PERMITTED BOUNDARY OR, IF THE SECONDARY SOURCE IS NOT PERMITTED, THE BOUNDARY IN EXISTENCE AS OF JULY 1, 1988, OTHER THAN AN EXPANSION FOR HANDLING OF LIVESTOCK WASTE OR FOR TREATING DOMESTIC WASTEWATERS; OR

A POTENTIAL SECONDARY SOURCE WHICH IS PART OF A FACILITY THAT UNDERGOES MAJOR RECONSTRUCTION. SUCH RECONSTRUCTION SHALL BE DEEMED TO HAVE TAKEN PLACE WHERE THE FIXED CAPITAL COST OF THE NEW COMPONENTS CONSTRUCTED

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

WITHIN A 2-YEAR PERIOD EXCEED 50% OF THE FIXED CAPITAL COST OF A COMPARABLE ENTIRELY NEW FACILITY.

(Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1003.60)

"Practical Quantifiable Limit (PQL)" means the limit set forth in "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," EPA Publication SW-846.

Section 616.103 Incorporations by Reference

a) The Board incorporates the following material by reference:

- 1) American Society for Testing and Materials (ASTM) Standard D-93-79 or D-93-80, and ASTM Standard D-3278-78 (Available from: ASTM; 1916 Race Street; Philadelphia, PA 19103; (215) 299-5400).
- 2) "Test Methods for Evaluating Solid Wastes, Physical/Chemical Methods," EPA Publication No. SW-846 (Second Edition, 1982, as amended by Update I (April, 1984) and Update II (April, 1985)). (Available from: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20401, (202-783-3238)).

b) This Section incorporates no later amendments or editions.

Section 616.104 Exceptions to Prohibitions

a) THE OWNER OF A NEW POTENTIAL PRIMARY SOURCE OR A POTENTIAL SECONDARY SOURCE MAY SECURE A WAIVER FROM THE PROHIBITIONS SPECIFIED IN SECTIONS 616.402(a), 616.422(a), 616.442, 616.462(a), 616.502, 616.622, 616.702 or 616.722(a) AGAINST CONSTRUCTION, USE OR OPERATION WITHIN THE SETBACK ZONE FOR A POTABLE WATER SUPPLY WELL OTHER THAN A COMMUNITY WATER SUPPLY. A WRITTEN REQUEST FOR A WAIVER SHALL BE MADE TO THE OWNER OF THE WATER WELL AND THE AGENCY. SUCH REQUEST SHALL IDENTIFY THE NEW OR PROPOSED POTENTIAL SOURCE, SHALL GENERALLY DESCRIBE THE POSSIBLE EFFECT OF SUCH POTENTIAL SOURCE UPON THE WATER WELL AND ANY APPLICABLE TECHNOLOGY-BASED CONTROL WHICH WILL BE UTILIZED TO MINIMIZE THE POTENTIAL FOR CONTAMINATION, AND SHALL STATE WHETHER, AND UNDER WHAT CONDITIONS, THE REQUESTOR WILL PROVIDE AN ALTERNATIVE POTABLE WATER SUPPLY. WAIVER MAY BE GRANTED BY THE OWNER OF THE WATER WELL NO LESS THAN 90 DAYS AFTER

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

RECEIPT UNLESS PRIOR TO SUCH TIME THE AGENCY NOTIFIES THE WELL OWNER THAT IT DOES NOT CONCUR WITH THE REQUEST. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1014.2(b))

b) THE AGENCY SHALL NOT CONCUR WITH ANY SUCH REQUEST WHICH FAILS TO ACCURATELY DESCRIBE REASONABLY FORESEEABLE EFFECTS OF THE POTENTIAL SOURCE OR POTENTIAL ROUTE UPON THE WATER WELL OR ANY APPLICABLE TECHNOLOGY-BASED CONTROLS. SUCH NOTIFICATION BY THE AGENCY SHALL BE IN WRITING, AND SHALL INCLUDE A STATEMENT OF REASONS FOR THE NONCONCURRENCE. WAIVER OF THE MINIMUM SETBACK ZONE SHALL EXTINGUISH THE WATER WELL OWNER'S RIGHTS UNDER SECTION 6b OF THE ILLINOIS WATER WELL CONSTRUCTION CODE BUT SHALL NOT PRECLUDE POLLUTION. IF THE OWNER OF THE WATER WELL HAS NOT GRANTED A WAIVER WITHIN 120 DAYS AFTER RECEIPT OF THE REQUEST OR THE AGENCY HAS NOTIFIED THE OWNER THAT IT DOES NOT CONCUR WITH THE REQUEST, THE OWNER OF A POTENTIAL SOURCE OR POTENTIAL ROUTE MAY FILE A PETITION FOR AN EXCEPTION WITH THE BOARD AND THE AGENCY PURSUANT TO subsection (b) OF THIS SECTION. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1014.2(b))

c) NO WAIVER UNDER THIS SECTION IS REQUIRED WHERE THE POTABLE WATER SUPPLY WELL IS PART OF A PRIVATE WATER SYSTEM AS DEFINED IN THE ILLINOIS GROUNDWATER PROTECTION ACT, AND THE OWNER OF SUCH WELL WILL ALSO BE THE OWNER OF A NEW POTENTIAL SECONDARY SOURCE OR A POTENTIAL ROUTE. IN SUCH INSTANCES, A PROHIBITION OF 75 FEET SHALL APPLY AND THE OWNER SHALL NOTIFY THE AGENCY OF THE INTENDED ACTION SO THAT THE AGENCY MAY PROVIDE INFORMATION REGARDING THE POTENTIAL HAZARDS ASSOCIATED WITH LOCATION OF A POTENTIAL SECONDARY SOURCE OR POTENTIAL ROUTE IN CLOSE PROXIMITY TO A POTABLE WATER SUPPLY WELL. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1014.2(b))

d) THE BOARD MAY GRANT AN EXCEPTION FROM THE SETBACK REQUIREMENTS OF THIS SECTION AND SECTION 14.3 TO THE OWNER OF A NEW POTENTIAL PRIMARY SOURCE OTHER THAN LANDFILLING OR LAND TREATING, OR A NEW POTENTIAL SECONDARY SOURCE. THE OWNER SEEKING AN EXCEPTION WITH RESPECT TO A COMMUNITY WATER SUPPLY WELL SHALL FILE A PETITION WITH THE BOARD AND THE AGENCY. THE OWNER SEEKING AN EXCEPTION WITH RESPECT TO A POTABLE WATER SUPPLY WELL SHALL FILE A PETITION WITH THE BOARD AND THE AGENCY, AND SET FORTH THEREIN THE CIRCUMSTANCES UNDER WHICH A WAIVER HAS BEEN SOUGHT BUT NOT OBTAINED PURSUANT TO subsection (a) OF THIS SECTION. A PETITION SHALL BE ACCOMPANIED BY PROOF THAT THE OWNER OF EACH POTABLE WATER SUPPLY WELL FOR WHICH SETBACK REQUIREMENTS WOULD BE AFFECTED BY THE REQUESTED EXCEPTION HAS BEEN NOTIFIED AND BEEN PROVIDED WITH A COPY OF THE PETITION. A PETITION SHALL SET FORTH SUCH FACTS AS MAY BE REQUIRED TO SUPPORT AN EXCEPTION,

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

INCLUDING A GENERAL DESCRIPTION OF THE POTENTIAL IMPACTS OF SUCH POTENTIAL SOURCE OR POTENTIAL ROUTE UPON GROUNDWATERS AND THE AFFECTED WATER WELL, AND AN EXPLANATION OF THE APPLICABLE TECHNOLOGY-BASED CONTROLS WHICH WILL BE UTILIZED TO MINIMIZE THE POTENTIAL FOR CONTAMINATION OF THE POTABLE WATER SUPPLY WELL. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1014.2(c))

e) THE BOARD SHALL GRANT AN EXCEPTION, WHENEVER IT IS FOUND UPON PRESENTATION OF ADEQUATE PROOF, THAT COMPLIANCE WITH THE SETBACK REQUIREMENTS OF THIS SECTION WOULD POSE AN ARBITRARY AND UNREASONABLE HARDSHIP UPON THE PETITIONER, THAT THE PETITIONER WILL UTILIZE THE BEST AVAILABLE TECHNOLOGY CONTROLS ECONOMICALLY ACHIEVABLE TO MINIMIZE THE LIKELIHOOD OF CONTAMINATION OF THE POTABLE WATER SUPPLY WELL, THAT THE MAXIMUM FEASIBLE ALTERNATIVE SETBACK WILL BE UTILIZED, AND THAT THE LOCATION OF SUCH POTENTIAL SOURCE OR POTENTIAL ROUTE WILL NOT CONSTITUTE A SIGNIFICANT HAZARD TO THE POTABLE WATER SUPPLY WELL. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1014.2(c))

f) A DECISION MADE BY THE BOARD PURSUANT TO THIS SUBSECTION SHALL CONSTITUTE A FINAL DETERMINATION. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1014.2(c))

g) THE GRANTING OF AN EXCEPTION BY THE BOARD SHALL NOT EXTINGUISH THE WATER WELL OWNER'S RIGHTS UNDER SECTION 6b OF THE ILLINOIS WATER WELL CONSTRUCTION CODE IN INSTANCES WHERE THE OWNER HAS ELECTED NOT TO PROVIDE A WAIVER PURSUANT TO subsection (a) OF THIS SECTION. (Ill. Rev. Stat. 1987, ch. 111 1/2 par. 1014.2(a))

Section 616.105 General Exceptions

This Part does not apply to any facility or unit, or to the owner or operator of any facility or unit for which:

- a) The owner or operator obtains certification of minimal hazard pursuant to Section 14.5 of the Act; or
- b) For which different requirements are imposed in an adjusted standard proceeding or in a site-specific rulemaking, pursuant to Title VII of the Act.
- c) Different requirements are imposed in a regulated recharge area proceeding pursuant to Section 17.4 of the Act.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

d) Nothing in this Section shall limit the authority of the Board to impose requirements on any facility or unit within any portion of any setback zone or regulated recharge area in any adjusted standard proceeding, site-specific rulemaking or a regulatory proceeding establishing the regulated recharge area.

SUBPART B: GROUNDWATER MONITORING REQUIREMENTS

Section 616.201 Applicability

This Subpart applies to:

- a) Landfill units subject to Subpart D;
- b) Land treatment units subject to Subpart E;
- c) Surface impoundments subject to Subpart F;
- d) Pesticide storage and handling units subject to Subpart I;
- e) Fertilizer storage and handling units subject to Subpart J;
- f) Road oil storage and handling units subject to Subpart K; and
- g) De-icing agent storage and handling units subject to Subpart L.

Section 616.202 Compliance Period

The compliance period is the active life of the unit, including closure and post-closure care periods.

- a) The active life begins when the unit first begins operation or on the effective date of this Part, whichever occurs later, and ends when the post-closure care period ends.
- b) The post-closure care period for units other than landfill units is five years after closure, except as provided at Section 616.211(e).
- c) The post-closure care period for landfill units is fifteen years after closure, except as provided at Section 616.211(e) or as may be provided by other Board regulations.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- d) Subsections (b) and (c) notwithstanding, there shall be no post-closure care period if all waste, waste residues, contaminated containment system components and contaminated subsoils are removed or decontaminated at closure, and there is no ongoing corrective action pursuant to Section 616.211.

Section 616.203 Compliance With Groundwater Standards

The owner or operator shall comply with the groundwater standards.

- a) The term of compliance is the compliance period.
- b) Compliance shall be measured at the compliance point, or compliance points if more than one such point exists.

Section 616.204 Groundwater Monitoring System

- a) The groundwater monitoring system must consist of a sufficient number of wells, installed at appropriate locations and depths to yield groundwater samples from the uppermost aquifer that:

- 1) Represent the quality of background water that has not been affected by contamination from the facility or unit; and
- 2) Represent the quality of groundwater at the compliance point or points.

- b) If a facility contains more than one unit, separate groundwater monitoring systems are not required for each unit, provided that provisions for sampling the groundwater in the uppermost aquifer will enable detection and measurement at the compliance point or points of the contaminants which have entered the groundwater from all units.

- c) Monitoring wells must be designed and constructed in a manner that will enable the collection of groundwater samples during the compliance period. Well casings and screens must be made from durable material resistant to expected chemical or physical degradation, and must be made of materials that do not interfere with the quality of groundwater samples being collected. Well casings and screens must be made from fluorocarbon resins or stainless steel in the saturated zone if volatile organic sampling may be required during the monitoring

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

period. The annular space opposite the screened section of the well (i.e., the space between the bore hole and well screen) must be filled with gravel or sand if necessary to collect groundwater samples. The annular space above the well screen must be sealed to prevent downward migration of water from overlying formations and the surface to the sampled depth.

Section 616.205 Groundwater Monitoring Program

The owner or operator shall develop a groundwater monitoring program which consists of:

- a) Consistent sampling and analysis procedures that are designed to ensure monitoring results that provide a reliable indication of groundwater quality below the unit. At a minimum the program must include procedures and techniques for:
 - 1) Sample collection;
 - 2) Sample preservation and shipment;
 - 3) Analytical procedures; and
 - 4) Chain of custody control.
- b) Sampling and analytical methods which are appropriate for groundwater monitoring and which allow for detection of the contaminants specified pursuant to this Subpart.

- c) A determination of the groundwater head elevation each time groundwater is sampled.

- d) A determination at least annually of the groundwater flow rate and direction in the uppermost aquifer.

- e) If the owner or operator determines that the groundwater monitoring program no longer satisfies the requirements of this Section, the owner or operator shall, within 90 days, make appropriate changes to the program. Conditions under which a groundwater monitoring program no longer satisfies the requirements of this Section include, but are not limited to:

- 1) A MAR is exceeded in any monitoring well that is being used as a background monitoring well or that the owner or operator has previously determined to be hydraulically upgradient from the facility; or

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 2) A redetermination of groundwater flow rate and direction conducted pursuant to subsection (d) shows that the existing monitoring system is not capable of assessing groundwater quality at the compliance points or points.

Section 616.206 Reporting

The owner or operator shall submit results of all monitoring required pursuant to this Subpart to the Agency within 60 days after completion of sampling.

Section 616.207 Establishing Background Values And Maximum Allowable Results (MAR)

- a) Commencing no later than six months after the beginning of operation of the facility, the owner or operator of said facility shall, for a period of one year, sample each monitoring well at least every two months and analyze each such sample according to the following program:

- 1) For a facility subject to Subpart D (landfills), Subpart E (land treatment units), Subpart F (surface impoundments), Subpart K (road oil storage and handling units) or Subpart L (de-icing agent storage and handling units) analysis shall be for pH, specific conductance, total organic carbon, total organic halogen, and any other parameter which meets the following criteria:

- A) Material containing such parameter is stored, treated or disposed at the facility; and
- B) The Board has adopted a groundwater standard for such parameter.

- 2) For a facility subject to Subpart I for the storage and handling of pesticides analysis shall be for each pesticide stored or handled at the facility.

- 3) For a facility subject to Subpart J for the storage and handling of fertilizer analysis shall be for pH, specific conductance, total organic carbon, nitrates as nitrogen, ammonia nitrogen and for any other parameter which meets the following criteria:

- A) Material containing such parameter is stored or handled at the facility; and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- B) The Board has adopted a groundwater standard for such parameter.

- b) The results obtained under subsection (a) shall be used to calculate the background mean, background standard deviation and the maximum allowable result (hereinafter referred to as "MAR") for each parameter using the following procedures:

- 1) Results from all samples collected during the year must be used in the calculations unless the owner or operator demonstrates to the Agency that one or more of the results was due to error in sampling, analysis or evaluation.
- 2) All calculations must be based on a minimum of at least six sample measurements per parameter per well.
- 3) If any measured value is equal to or greater than its PQL, or if any measured value is greater than its corresponding groundwater standard, the actual measured value must be used calculating the mean and standard deviation.
- 4) If any measured value is less than its PQL and less than its corresponding groundwater standard, the PQL rather than the measure value is to be used in calculating the mean and standard deviation.

- 5) The MAR for each parameter, except for pH, in each well is the lesser of the following two values:

- A) The groundwater standard for the parameter.

- B) The quantity equal to the measured mean value of the parameter plus the product of the parameter's standard deviation times the following constant:

Sample Size	Constant
6	2.10
7	2.03
8	1.97
9	1.93
10	1.90
11	1.88

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

12 1.85
13 1.84
14 1.82

- 6) The upper limit for the MAR for pH in each well is the lesser of the upper limit of the pH groundwater standard and the quantity calculated according to the procedure of subsection (c)(5)(B). The lower limit for the MAR for pH in each well is the greater of the lower limit of the pH groundwater standard and the quantity equal to the measured mean pH minus the product of the calculated pH standard deviation times the constant tabulated in subsection (c)(5)(B). For the purpose of this Part the pH groundwater standard is deemed to be exceeded if a sample value lies outside the range of the groundwater standard. For the purpose of this Part a pH MAR is deemed to be exceeded if a sample value lies outside the range established by the upper and lower limits of the pH Mar.

- c) If the background mean or the MAR for any parameter measured in any well exceeds any groundwater standard, the owner or operator shall notify the Agency of the parameters that are exceeded and provide the Agency with an alternate method for analyzing groundwater samples. Such alternate method must be consistent with the groundwater standards.

- d) The owner or operator shall submit to the Agency the results of the sample analyses and calculations required under this Section, including a summary of the background mean, background standard deviation and MAR for each parameter at each well. All documents required to be submitted to the Agency under this Section shall be submitted along with sample results required under Section 616.206.

Section 616.208 Continued Sampling

- a) Upon completion of the background sampling required pursuant to Section 616.207, the owner or operator shall sample each monitoring well for the duration of the compliance period and analyze each sample, except as provided in Section 616.209, according to the following program:

- 1) For a facility subject to Subpart D (landfills), Subpart E (land treatment units) or Subpart F

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

(surface impoundments) sampling shall be at least quarterly and analysis shall be for pH, specific conductance, total organic carbon, total organic halogen, and any other parameter which meets the following criteria:

- A) Material containing such parameter is stored, treated or disposed at the facility; and
- B) The Board has adopted a groundwater standard for such parameter.
- 2) For a facility subject to Subpart I for the storage and handling of pesticides sampling shall be quarterly and analysis shall be for five specific pesticides or five groups of chemically-similar pesticides stored or handled at the unit that are the most likely to enter into the groundwater from the unit and that are the most toxic. The owner or operator shall choose the five specific pesticides or five groups based upon the following criteria:
- A) The volume of the pesticides stored or handled at the unit;
- B) The leachability characteristics of the pesticides stored or handled at the unit;
- C) The toxicity characteristics of the pesticides stored or handled at the unit;
- D) The history of spillage of the pesticides stored or handled at the unit; and
- E) The establishment of groundwater standards for the pesticides stored or handled at the unit.
- 3) For a facility subject to Subpart J for the storage and handling of fertilizer sampling shall be quarterly and analysis shall be for pH, total organic carbon, nitrates as nitrogen, ammonia nitrogen, and specific conductance.
- 4) For a unit subject to Subpart K for the storage and handling of road oils or subject to Subpart L for the storage and handling of de-icing agents sampling shall be annually and analysis shall be for pH, specific conductance, total organic carbon and total organic halogen.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- b) For each sample and for each parameter analyzed pursuant to subsection (a), the owner or operator shall determine whether the measured value is greater than its MAR.
- c) If any measured value is greater than its MAR, the owner or operator shall collect a second sample from the same well or wells from which the original sample was taken. This second sample shall be analyzed for each parameter found to be present in the first sample at a level greater than its MAR.
- d) If any measured value on the second sample collected pursuant to subsection (c) continues to exceed its MAR, the owner or operator shall undertake a non-compliance response program in accordance with Section 616.209 or Section 616.210.

Section 616.209 Non-Compliance Response Program

An owner or operator required to undertake a non-compliance response program pursuant to Section 616.208(d) shall:

- a) Notify the Agency of the need to undertake a non-compliance response program when submitting the groundwater monitoring results required pursuant to Section 616.206. The notification must indicate in which wells and for which parameters a MAR was exceeded.
- b) Continue to sample and analyze according to the provisions of Section 616.208(a), except that:
 - 1) For all units except those subject to Subpart I the frequency of all such sampling shall be monthly until no measured values above the MAR have been recorded for any parameter for two consecutive months.
 - 2) For a unit subject to Subpart I for the storage and handling of fertilizers sampling shall be monthly for the parameters for each pesticide stored or handled at the facility until no measured values above the MAR have been recorded for two consecutive months.
- d) If no measured values above the MAR have been recorded for any parameter for two consecutive months, but a parameter is detected for which the groundwater standard is less than or equal to the PQL, the owner or operator

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

may return to the monitoring program prescribed in Section 616.208, but, in addition to monitoring for the parameters required under that Section, the owner or operator shall also continue monitoring for any parameter detected for which the groundwater standard is less than or equal to the PQL. The owner or operator shall continue monitoring for such additional parameters until the background means for the parameters established pursuant to Section 616.207 are not exceeded for two consecutive months. If at any time the level of any such additional parameter in the groundwater equals or exceeds the PQL for the parameter, the owner or operator shall submit to the Agency an engineering feasibility plan for a corrective action in accordance with subsection (e).

- e) If sample values above any MAR persist for two or more months after originally being recognized pursuant to Section 616.208(d), the owner or operator shall:

- 1) Submit to the Agency an engineering feasibility plan for a corrective action program designed to achieve the requirements of Section 616.211.
 - A) Such feasibility plan shall be submitted to the Agency within 180 days after the date of the sample in which a MAR was initially exceeded.
 - B) This requirement is waived if no MAR is exceeded in any sample taken pursuant to subsection (b) for two consecutive months.
- 2) Begin the corrective action program specified in the engineering feasibility plan no later than the date on which the engineering feasibility plan is submitted to the Agency, except as provided in subsection (e)(1)(B).
- f) Subsections (b), (c), (d) and (e) do not apply if the owner or operator makes an alternate non-compliance demonstration pursuant to Section 616.210.

Section 616.210 Alternate Non-Compliance Response Program

If a non-compliance response program is required pursuant to Section 616.208(d), it is presumed that contamination from the facility or unit which is being monitored is responsible for the MAR being exceeded. An owner or operator may overcome that

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

presumption by making a clear and convincing demonstration that a source other than the facility or unit which is being monitored caused the MAR to be exceeded, or that the cause of the MAR being exceeded is due to error in sampling, analysis or evaluation. In making such demonstration the owner or operator shall:

- a) Notify the Agency that the owner or operator intends to make a demonstration under this Section when submitting the groundwater monitoring results required pursuant to Section 616.206.
- b) Submit a report to the Agency which demonstrates that a source other than a facility or unit for which he is the owner or operator caused the groundwater standard to be exceeded, or that the groundwater standard was exceeded due to an error in sampling, analysis or evaluation. Such report must be included with the next submission of groundwater monitoring results required pursuant to Section 616.206; and
- c) Continue to monitor in accordance with the groundwater monitoring program established pursuant to Sections 616.205 and 616.208.

Section 616.211 Corrective Action Program

An owner or operator required to conduct a corrective action program pursuant to this Subpart shall:

- a) Take corrective action which results in compliance with all MARS at all compliance point or points.
- b) Establish and implement a groundwater monitoring program to demonstrate the effectiveness of the corrective action program.
- c) Take corrective action which maintains compliance with the groundwater standards:

- 1) At all compliance points; and
- 2) Beyond the facility boundary, where necessary to protect human health and the environment, unless the owner or operator demonstrates to the Agency that, despite the owner's or operator's best efforts, the owner or operator was unable to obtain the necessary permission to undertake such action. The owner or operator is not relieved of responsibility to clean up a release that has

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

migrated beyond the facility boundary where off-site access is denied.

- d) Continue corrective action measures during the compliance period to the extent necessary to ensure that no MAR is exceeded at the compliance point or points.
- e) If the owner or operator is still conducting corrective action at the end of the compliance period, the owner or operator shall continue that corrective action for as long as necessary to achieve compliance with all MARS. The owner or operator may terminate corrective action measures taken beyond the compliance period as identified at Section 616.202 if the owner or operator can demonstrate, based on data from the groundwater monitoring program under subsection (c), that no MAR has been exceeded for a period of three consecutive years.
- f) Report in writing to the Agency on the effectiveness of the corrective action program. The owner or operator shall submit these reports semi-annually.
- g) If the owner or operator determines that the corrective action program no longer satisfies the requirements of this Section, the owner or operator shall, within 90 days, make any appropriate changes to the program.

SUBPART C: GENERAL CLOSURE AND POST-CLOSURE REQUIREMENTS

Section 616.301 Applicability

This Subpart applies to:

- a) Landfill units subject to Subpart D;
- b) Land treatment units subject to Subpart E;
- c) Surface impoundments subject to Subpart F;
- d) Pesticide storage and handling units subject to Subpart I; and
- e) Fertilizer storage and handling units subject to Subpart J.

Section 616.302 Closure Performance Standard

The owner or operator shall close the unit in a manner that:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- a) Controls, minimizes or eliminates, to the extent necessary to protect human health and the environment, post-closure escape of waste, waste constituents, leachate, contaminated runoff or waste decomposition products to the ground;
- b) Minimizes the need for maintenance during and beyond the post-closure care period; and
- c) Complies with the closure requirements of 35 Ill. Adm. Code: Subtitles C and G.

Section 616.303 Certification of Closure

Within 60 days after completion of closure of each unit, the owner or operator shall submit to the Agency, by registered or certified mail, a certification that the unit has been closed in accordance with the closure requirements. The certification must be signed by the owner or operator and by an independent registered professional engineer. Documentation supporting the independent registered professional engineer's certification must be furnished to the Agency upon request.

Section 616.304 Survey Plat

No later than the submission of the certification of closure of each unit, the owner or operator shall submit to any local zoning authority, or authority with jurisdiction over local land use, and to the Agency, and record with land titles, a survey plat indicating the location and dimensions of any landfill cells, any other waste disposal units, and any pesticide and fertilizer storage and handling units, with respect to permanently surveyed benchmarks. This plat must be prepared and certified by a registered land surveyor.

Section 616.305 Post-Closure Notices for Waste Disposal Units

No later than 60 days after certification of closure of the unit, the owner or operator of a unit subject to Subpart D, E, or F shall submit to the Agency, to the County Recorder and to any local zoning authority or authority with jurisdiction over local land use, a record of the type, location and quantity of wastes disposed of within each cell or other area of the unit.

Section 616.306 Certification of Completion of Post-closure Care

No later than 60 days after completion of the established post-closure care period, the owner or operator shall submit to the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Agency, by registered or certified mail, a certification that the post-closure care period for the unit was performed in accordance with the specifications in the approved post-closure plan. The certification must be signed by the owner or operator and an independent registered professional engineer. Documentation supporting the independent registered professional engineer's certification must be furnished to the Agency upon request.

Section 616.307 Post-Closure Care Period

The post-closure care for all units except for landfills must continue for five years after closure, or to completion of correction action conducted pursuant Section 616.211, which ever is later. Post-closure care for landfills must continue for fifteen years after closure or to such time as provided by Board regulation, or to completion of correction action conducted pursuant to Section 616.211, which ever is later.

SUBPART D: LANDFILLS

Section 616.401 Applicability

This Subpart applies to new landfill units which are located wholly or partially within a setback zone or regulated recharge area and which contain special waste or other waste generated on-site, except that this Subpart does not apply to any new landfill unit which:

- a) Contains solely one or more of the following: hazardous waste, livestock waste, landscape waste, or construction and demolition debris; or
- b) Is exempt from this Part pursuant to Section 616.105.

Section 616.402 Prohibitions

- a) Pursuant to Sections 14.2(a), 14.2(d) and 14.3(e) of the Act, no person shall cause or allow the construction, use or operation of any landfill unit which is:
 - 1) Located wholly or partially within a minimum setback zone and which is either a new potential primary source or a new potential secondary source, except as specified in Sections 616.104(a) and (b); or
 - 2) Located wholly or partially within a maximum setback zone and which is a new potential primary source, except as specified in Section 616.104(b).

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- b) No person shall cause or allow the disposal of special waste in a new on-site landfill unit within a regulated recharge area if the distance from the wellhead of the community water supply well to the landfill unit is 2500 feet or less, except as provided at Section 616.105.

Section 616.403 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

Section 616.404 Design and Operating Requirements

- a) The owner or operator of a landfill shall install two or more liners and a leachate collection system above and between the liners. The requirement for the installation of two or more liners in this subsection may be satisfied by the installation of a top liner designed, operated and constructed of materials to prevent the migration of any constituent into such liner during the period such facility remains in operation (including any post-closure monitoring period), and a lower liner designed, operated and constructed to prevent the migration of any constituent through such liner during such period. For the purpose of the preceding sentence, a lower liner shall be deemed to satisfy such requirement if it is constructed of at least a 10-foot thick layer of recompacted clay or other natural material with a permeability of no more than 1×10^{-7} centimeter per second.
- b) The owner or operator shall design, construct, operate and maintain a run-on control system capable of preventing flow onto the active portion of the landfill during peak discharge from at least a 25-year storm.
- c) The owner or operator shall design, construct, operate and maintain a run-off management system to collect and control at least the water volume resulting from a 24-hour, 25-year storm.
- d) Collection and holding facilities (e.g., tanks or basins) associated with run-on and run-off control systems must be emptied or otherwise managed expeditiously after storms to maintain design capacity of the system.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- e) If the landfill contains any particulate matter which may be subject to wind dispersal, the owner or operator shall cover or otherwise manage the landfill to control wind dispersal.

Section 616.405 Monitoring and Inspection

- a) During construction or installation, liners must be inspected for uniformity, damage and imperfections (e.g., holes, cracks, thin spots or foreign materials). Immediately after construction or installation:
- 1) Synthetic liners and covers must be inspected to ensure tight seams and joints and the absence of tears, punctures or blisters; and
 - 2) Soil-based and admixed liners and covers must be inspected for imperfections including lenses, cracks, channels, root holes or other structural non-uniformities that may cause an increase in the permeability of the liner or cover.
- b) While a landfill is in operation, it must be inspected weekly and after storms to detect evidence of any of the following:
- 1) Deterioration, malfunctions or improper operation of run-on and run-off control systems;
 - 2) Proper functioning of wind dispersal control systems, where present; and
 - 3) The presence of leachate in and proper functioning of leachate collection and removal systems.
- Section 616.406 Surveying and Recordkeeping
- The owner or operator shall maintain the following items:
- a) On a map, the exact location and dimensions, including depth, of each cell with respect to permanently surveyed benchmarks; and
 - b) A record of the contents of each landfill cell and the approximate location of each waste type within each cell.

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED RULES

Section 616.407 Operating Requirements

No person shall cause or allow:

- a) The disposal of incompatible materials in the same landfill cell.
- b) The disposal of bulk or non-containerized liquid waste or waste containing free liquids (whether or not absorbents have been added) in the landfill unit.
- c) The disposal of containerized free liquids in the landfill unit unless;
 - 1) The container is designed to hold free liquids for use other than storage, such as a battery or capacitor; or
 - 2) All free-standing liquid:
 - A) Has been removed by decanting or other methods;
 - B) Has been mixed with absorbent or solidified so that free-standing liquid is no longer observed; or
 - C) Has been otherwise eliminated; or
 - 3) The container is the size of an ampule or smaller, and the container is either:
 - A) At least 90 percent full when placed in the landfill unit; or
 - B) Crushed, shredded or similarly reduced in volume to the maximum practical extent before burial in the landfill unit.

Section 616.408

Closure and Post-Closure Care

- a) The owner or operator shall comply with the requirements of this Section and Subpart C.
- b) At final closure of the landfill or upon closure of any cell, the owner or operator shall cover the landfill or cell with a final cover designed and constructed to:

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED RULES

- 1) Provide long-term minimization of migration of liquids through the closed landfill;

- 2) Function with minimum maintenance;

- 3) Promote drainage and minimize erosion or abrasion of the cover;

- 4) Accommodate settling and subsidence so that the cover's integrity is maintained; and

- 5) Have a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present.

- c) After final closure, the owner or operator shall, for a period of fifteen years or as may be provided by other Board regulations:

- 1) Maintain the integrity and effectiveness of the final cover, including making repairs to the cap to correct the effects of settling, subsidence, erosion or other events;
- 2) Continue to operate the leachate collection and removal system; and
- 3) Prevent run-on and run-off from eroding or otherwise damaging the final cover.
- 4) Protect and maintain surveyed benchmarks used in complying with Section 616.406.

SUBPART E: LAND TREATMENT UNITS

Section 616.421 Applicability

This Subpart applies to new land treatment units which are located wholly or partially within a setback zone or regulated recharge area and which treat or dispose special waste or other waste generated on-site, except that this Subpart does not apply to any new land treatment unit which:

- a) Contains solely one or more of the following: hazardous waste, livestock waste, landscape waste, or construction and demolition debris; or
- b) Is exempt from this Part pursuant to Section 616.105.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 616.422 Prohibitions

- a) Pursuant to Sections 14.2(a), 14.2(c) and 14.3(e) of the Act, no person shall cause or allow the construction, use or operation of any land treatment unit which is:

- 1) Located wholly or partially within a minimum setback zone and which is either a new potential primary source or a new potential secondary source, except as specified in Sections 616.104(a) and (b); or
 - 2) Located wholly or partially within a maximum setback zone and which is a new potential primary source, except as specified in Section 616.104(b).
- b) Nothing in this Section shall prohibit land treatment within a maximum setback zone regulated by the Act of sludge resulting from the treatment of domestic wastewater or of sludge resulting from the treatment of water to produce potable water, if such activities are conducted in accordance with the Act and 35 Ill. Adm. Code: Subtitle C.

Section 616.423 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

Section 616.424 Design and Operating Requirements

The owner or operator shall design and operate the land treatment site in accordance with 35 Ill. Adm. Code: Subtitle C and 35 Ill. Adm. Code: Subtitle G.

Section 616.425 Closure and Post-Closure Care

The owner or operator shall comply with the requirements of Subpart C.

SUBPART F: SURFACE IMPOUNDMENTS

Section 616.441 Applicability

This Subpart applies to new surface impoundment units which are located wholly or partially within a setback zone or regulated recharge area and which contain special waste or other waste generated on-site, except that this Subpart does not apply to any new surface impoundment unit which:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- a) Contains solely one or more of the following: hazardous waste, livestock waste, landscape waste, or construction and demolition debris; or
- b) Is exempt from this Part pursuant to Section 616.105.

Section 616.442 Prohibitions

Pursuant to Sections 14.2(a), 14.2(c) and 14.3(e) of the Act, no person shall cause or allow the construction, use or operation of any surface impoundment unit which is:

- a) Located wholly or partially within a minimum setback zone and which is either a new potential primary source or a new potential secondary source, except as specified in Sections 616.104(a) and (b); or
- b) Located wholly or partially within a maximum setback zone and which is a new potential primary source, except as specified in Section 616.104(b).

Section 616.443 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

Section 616.444 Design and Operating Requirements

- a) The owner or operator of a surface impoundment shall install two or more liners and a leachate collection system between such liners. The requirement for the installation of two or more liners in this subsection may be satisfied by the installation of a top liner designed, operated, and constructed of materials to prevent the migration of any constituent into such liner during the period such facility remains in operation (including any post-closure monitoring period), and a lower liner designed, operated and constructed to prevent the migration of any constituent through such liner during such period. For the purpose of the preceding sentence, a lower liner shall be deemed to satisfy such requirement if it is constructed of at least a 5-foot thick layer of recompacted clay or other natural material with a permeability of no more than 1 x 10⁻⁷ centimeter per second.

- b) A surface impoundment must be designed, constructed, maintained and operated to prevent overtopping resulting

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

from normal or abnormal operations; overfilling; wind and wave action; rainfall; run-on; malfunctions of level controllers, alarms and other equipment; and human error.

- c) A surface impoundment must have dikes that are designed, constructed and maintained with sufficient structural integrity to prevent massive failure of the dikes. In ensuring structural integrity, it must not be presumed that the liner system will function without leakage during the active life of the surface impoundment

- d) The owner or operator shall maintain the following items:

- 1) Records describing the contents of the impoundment; and
- 2) A map showing the exact location and dimensions of the impoundment, including depth with respect to permanently surveyed benchmarks.

Section 616.445 Inspection Requirements

- a) During construction and installation, liners must be inspected for uniformity, damage and imperfections (e.g., holes, cracks, thin spots or foreign materials). Immediately after construction or installation:
- 1) Synthetic liners and covers must be inspected to ensure tight seams and joints and the absence of tears, punctures and blisters; and
 - 2) Soil-based and admixed liners and covers must be inspected for imperfections including lenses, cracks, channels, root holes or other structural non-uniformities that may cause an increase in the permeability of that liner or cover.
- b) While a surface impoundment is in operation, it must be inspected weekly and after storms to detect evidence of any of the following:
- 1) Deterioration, malfunctions or improper operation of overtopping control systems;
 - 2) Sudden drops in the level of the impoundment's contents;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 3) Severe erosion or other signs of deterioration in dikes or other containment devices; or
- 4) A leaking dike.

Section 616.446 Operating Requirements

- a) No person shall cause or allow incompatible materials to be placed in the same surface impoundment unit.

- b) A surface impoundment unit must be removed from service in accordance with subsection (c) when:

- 1) The level of liquids in the unit suddenly drops and the drop is not known to be caused by changes in the flows into or out of the unit; or
- 2) The dike leaks.

- c) When a surface impoundment unit must be removed from service as required by subsection (b), the owner or operator shall:

- 1) Shut off the flow or stop the addition of wastes into the impoundment unit;
 - 2) Contain any surface leakage which has occurred or is occurring;
 - 3) Stop the leak;
 - 4) Take any other necessary steps to stop or prevent catastrophic failure;
 - 5) If a leak cannot be stopped by any other means, empty the impoundment unit; and
 - 6) Notify the Agency of the removal from service and corrective actions that were taken, such notice to be given within 10 days after the removal from service.
- d) No surface impoundment unit which has been removed from service in accordance with the requirements of this Section may be restored to service unless the portion of the unit which failed has been repaired.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- e) A surface impoundment unit which has been removed from service in accordance with the requirements of this Section and that is not being repaired must be closed in accordance with the provisions of Section 616.447.

Subpart 616.447 Closure and Post-Closure Care

- a) If closure is to be by removal, the owner or operator shall remove all waste, all waste residues, contaminated containment system components (liners, etc.), contaminated subsoils and structures and equipment contaminated with waste and leachate; and, if disposed in the State of Illinois, dispose of them at a facility permitted by the Agency.
- b) If closure is not to be by removal, the owner or operator shall comply with the requirements of Subpart C and shall:

- 1) Eliminate free liquids by removing liquid wastes or solidifying the remaining wastes and waste residues.
- 2) Stabilize remaining wastes to a bearing capacity sufficient to support final cover.
- 3) Cover the surface impoundment unit with a final cover designed and constructed to:

- A) Provide long-term minimization of the migration of liquids through the closed impoundment unit;
- B) Function with minimum maintenance;
- C) Promote drainage and minimize erosion or abrasion of the final cover;
- D) Accommodate settling and subsidence so that the cover's integrity is maintained; and
- E) Have a permeability less than or equal to the permeability of any bottom liner system or natural subsoils present.

- c) If some waste residues or contaminated materials are left in place at final closure, the owner or operator shall comply with the requirements of Subpart C and shall for a period of 5 years after closure:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 1) Maintain the integrity and effectiveness of the final cover, including making repairs to the cap as necessary to correct the effects of settling, subsidence, erosion or other events;
- 2) Maintain and monitor the groundwater monitoring system; and
- 3) Prevent run-on and run-off from eroding or otherwise damaging the final cover.

SUBPART G: WASTE PILES

Section 616.461 Applicability

This Subpart applies to new waste piles which are located wholly or partially within a setback zone or regulated recharge area and which contain special waste or other waste generated on-site, except that this Subpart does not apply to any new waste pile which:

- a) Contains solely one or more of the following: hazardous waste, livestock waste, landscape waste, or construction and demolition debris; or
- b) Is exempt from this Part pursuant to Section 616.105.

Section 616.462 Prohibitions

- a) Pursuant to Sections 14.2(a), 14.2(c) and 14.3(e) of the Act, no person shall cause or allow the construction, use or operation of any waste pile which is:
 - 1) Located wholly or partially within a minimum setback zone and which is either a new potential primary source or a new potential secondary source, except as specified in Sections 616.104(a) and (b); or
 - 2) Located wholly or partially within a maximum setback zone and which is a new potential primary source, except as specified in Section 616.104(b).
- b) Nothing in this Section shall prohibit a waste pile within a maximum setback zone regulated by the Act of sludge resulting from the treatment of domestic wastewater or of sludge resulting from the treatment of water to produce potable water, if such activities are

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

conducted in accordance with the Act and 35 Ill. Adm. Code: Subtitle C.

Section 616.463 Design and Operating Requirements

- a) No person shall cause or allow:
 - 1) Disposal or storage in the waste pile of liquids or materials containing free liquids; or
 - 2) Migration and runoff of leachate into adjacent soil, surface water, or groundwater.
- b) A waste pile must comply with the following standards:
 - 1) The waste pile must be under an impermeable membrane or cover that provides protection from precipitation;
 - 2) The waste pile must be protected from surface water run-on; and
 - 3) The waste pile must be designed and operated to control wind dispersal of waste by a means other than wetting.

Section 616.464 Closure

The owner or operator shall accomplish closure by removing and disposing of all wastes and containment system components (liners, etc). If disposed in the State of Illinois, the waste and containment system components must be disposed at a disposal site permitted under the Act.

SUBPART H: UNDERGROUND STORAGE TANKS

Section 616.501 Applicability

This Subpart applies to new underground storage tanks which are located wholly or partially within a setback zone or regulated recharge area and which contain special waste, except that this Subpart does not apply to any new underground storage tank which:

- a) Pursuant to 35 Ill. Adm. Code 731.110(a) must meet the requirements set forth in 35 Ill. Adm. Code 731, unless such a tank is excluded from those requirements pursuant to 35 Ill. Adm. Code 731.110(b); or

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- b) Must have interim status or a RCRA permit under 35 Ill. Adm. Code Subtitle G; or
- c) Is exempt from this Part pursuant to Section 616.105.

Section 616.502 Design and Operating Requirements

Owners and operators of new underground storage tanks that store special waste shall meet the requirements set forth in 35 Ill. Adm. Code 731. Such requirements must be met even if the tanks are excluded from coverage under 35 Ill. Adm. Code 731 by 35 Ill. Adm. Code 731.110(b). The exclusions set forth in 35 Ill. Adm. Code 731.110(b) shall not apply to any underground storage tank which stores special waste.

SUBPART I: PESTICIDE STORAGE AND HANDLING UNITS

Section 616.601 Applicability

This Subpart applies to any new unit for the storage and handling of pesticides which is located wholly or partially within a setback zone or regulated recharge area and which:

- a) Is operated for the purpose of commercial application; or
- b) Stores or accumulates pesticides prior to distribution to retail sales outlets, including but not limited to a unit which is a warehouse or bulk terminal.
- c) Subsections (a) and (b) notwithstanding, this Subpart does not apply to any unit exempt pursuant to Section 616.105.

Section 616.602 Prohibitions

Pursuant to Sections 14.2(a), 14.2(c) and 14.3(e) of the Act, no person shall cause or allow the construction, use or operation of any facility for the storage and handling of pesticides which is:

- a) Located wholly or partially within a minimum setback zone and which is either a new potential primary source or a new potential secondary source, except as specified in Sections 616.104(a) and (b); or
- b) Located wholly or partially within a maximum setback zone and which is a new potential primary source, except as specified in Section 616.104(b).

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 616.603 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

Section 616.604 Design and Operating Requirements

The owner or operator shall:

- a) Comply with rules adopted by the Department of Agriculture, as set forth in 8 Ill. Adm. Code 255. In the event of a conflict between this Part and 8 Ill. Adm. Code 255, this Part shall control.
- b) Maintain a written record inventorying all pesticides stored or handled at the unit.
- c) At least weekly when pesticides are being stored, inspect storage containers, tanks, vents, valves, and appurtenances for leaks or deterioration caused by corrosion or other factors. If a leak or deterioration is found in any of these devices, the owner or operator must immediately repair or replace the device. The owner or operator shall maintain a written record of all inspections conducted under this Section and of all maintenance relating to leaks and deterioration of these devices.
- d) Store all containers containing pesticides within a secondary containment structure that complies with the design standards set forth in 8 Ill. Adm. Code 255, if such containers are stored outside of a roofed structure or enclosed warehouse.
- e) Maintain all written records required under this Section at the site. The owner or operator shall provide any such record to the Agency upon request.

Section 616.605 Closure and Post-Closure Care

The owner or operator shall comply with the requirements of Subpart C.

SUBPART J: FERTILIZER STORAGE AND HANDLING AND UNITS

Section 616.621 Applicability

This Subpart applies to any new unit for the storage and handling of fertilizers which is located wholly or partially within a setback zone or regulated recharge area and which:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- a) Is operated for the purpose of commercial application; or
- b) Stores or accumulates fertilizers prior to distribution to retail sales outlets, including but not limited to a unit which is a warehouse or bulk terminal.
- c) Subsections (a) and (b) notwithstanding, this Subpart shall not apply to any unit exempt pursuant to Section 616.105.

Section 616.622 Prohibitions

Pursuant to Sections 14.2(a), 14.2(c) and 14.3(e) of the Act, no person shall cause or allow the construction, use or operation of any facility for the storage and handling of fertilizers which is:

- a) Located wholly or partially within a minimum setback zone and which is either a new potential primary source or a new potential secondary source, except as specified in Sections 616.104(a) and (b); or
- b) Located wholly or partially within a maximum setback zone and which is a new potential primary source, except as specified in Section 616.104(b).

Section 616.623 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

Section 616.624 Design and Operating Requirements

The owner or operator shall:

- a) Comply with rules adopted by the Department of Agriculture, as set forth in 8 Ill. Adm. Code 255. In the event of a conflict between this Part and 8 Ill. Adm. Code 255, this Part shall control.
- b) Maintain a written record inventorying all fertilizers stored or handled at the unit.
- c) At least weekly when fertilizers are being stored, inspect storage containers, tanks, vents, valves, and appurtenances for leaks or deterioration caused by corrosion or other factors. If a leak or deterioration

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

is found in any of these devices, the owner or operator shall immediately repair or replace the device. The owner or operator shall maintain a written record of all inspections conducted under this Section and of all maintenance relating to leaks and deterioration of these devices.

- d) Store all containers containing fertilizers (except anhydrous ammonia) within a secondary containment structure that complies with the design standards set forth in 8 Ill. Adm. Code 255, if such containers are stored outside of a roofed structure or enclosed warehouse.
- e) Maintain all written records required under this Section at the site. The owner or operator shall provide any such record to the Agency upon request.

Section 616.625 Closure and Post-Closure Care

The owner or operator shall comply with the requirements of Subpart C.

SUBPART K: ROAD OIL STORAGE AND HANDLING UNITS

Section 616.701 Applicability

This Subpart applies to any new unit for the storage and related handling of road oils which is located wholly or partially within a setback zone or regulated recharge area and at which greater than 25,000 gallons of road oils are stored or accumulated at any one time, except as otherwise provided in Section 616.105.

Section 616.702 Prohibitions

Pursuant to Sections 14.2(a), 14.2(c) and 14.3(e) of the Act, no person shall cause or allow the construction, use or operation of any facility for the storage and handling of road oils which is:

- a) Located wholly or partially within a minimum setback zone and which is either a new potential primary source or a new potential secondary source, except as specified in Sections 616.104(a) and (b); or
- b) Located wholly or partially within a maximum setback zone and which is a new potential primary source, except as specified in Section 616.104(b).

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 616.703 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

Section 616.704 Design and Operating Requirements for Above-Ground Tanks

- a) The owner or operator of a tank shall not cause or allow:
 - 1) Materials to be placed in a tank if such materials could cause the tank to rupture, leak, corrode, or otherwise fail.
 - 2) Uncovered tanks to be placed or operated so as to maintain less than 60 centimeters (2 feet) of freeboard unless:
 - A) The tank is equipped with a containment structure (e.g., dike or trench), a drainage control system, or a diversion structure (e.g., standby tank); and
 - B) Such containment structure, drainage control system, or diversion structure has a capacity that equals or exceeds the volume of the top 60 centimeters (2 feet) of the tank.
 - 3) Material to be continuously fed into a tank, unless the tank is equipped with a means to stop this inflow (e.g., a feed cutoff system or a bypass system to a standby tank).
 - 4) Incompatible materials to be placed in the same tank.
 - 5) Material to be placed in a tank which previously held an incompatible material unless the incompatible material has been washed from the tank.
 - 6) Ignitable or reactive material to be placed in a tank unless:
 - A) The material is stored or treated in such a way that it is protected from any material or conditions which may cause it to ignite or react; or

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- B) The tank is used solely for emergencies.
- b) The owner or operator shall provide and maintain primary containment for the tank such that:
- 1) The tank has a minimum shell thickness that ensures that the tank will not fail (i.e., collapse, rupture, etc.).
 - 2) The tank is compatible with the material to be placed in the tank or the tank is lined with a substance that is compatible with the material to be placed on the tank.
- c) The owner or operator shall provide and maintain secondary containment for the tank that:
- 1) Is capable of containing the volume of the largest tank or 10% of the total volume for all tanks, whichever is greater;
 - 2) Is constructed of material capable of containing a spill until cleanup occurs (e.g., concrete or clay). The base of the secondary containment area must be capable of minimizing vertical migration of a spill until cleanup occurs (e.g., concrete or clay);
 - 3) Has cover (e.g., crushed rock or vegetative growth) on earthen embankments sufficient to prevent erosion; and
 - 4) Isolates the tank from storm water drains and from combined storm water drains and sanitary sewer drains.
- d) If incompatible materials are handled at the site secondary containment sufficient to isolate the units containing the incompatible materials must be provided.
- e) The owner or operator of a tank shall also:
- 1) Test above-ground tanks and associated piping every five years for structural integrity.
 - 2) Remove uncontaminated storm water runoff the secondary containment area immediately after a precipitation event.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 3) Handle contaminated storm water runoff in accordance with Subpart A of 35 Ill. Adm. Code: Subtitle C.
- 4) Provide a method for obtaining a sample from each tank.
- 5) Install, maintain, and operate a material level indicator on each tank.
- 6) When not in use, lock all gauges and valves that are used to inspect levels in the tank. All such devices must be located within the containment structure.

Section 616.705 Closure

- a) At closure, all materials must be removed from containers, tanks, discharge control equipment, and discharge confinement structures.
- b) All materials that are to be disposed in the State of Illinois must be disposed at a disposal site permitted under the Act.

SUBPART L: DE-ICING AGENT STORAGE AND HANDLING UNITS

Section 616.721 Applicability

This Subpart applies to any new facility for the storage and related handling of de-icing agents which is located wholly or partially within a setback zone and at which more than 50,000 pounds of de-icing agent are stored or accumulated at any one time, except as otherwise provided in Section 616.105. For the purpose of this Subpart:

- a) An indoor storage unit means a storage unit with a roof capable of protecting de-icing agents from wind and precipitation;
- b) An outdoor storage unit means a unit for the storage of de-icing agents which is not an indoor storage unit.

Section 616.722 Prohibitions

- a) Pursuant to Sections 14.2(a), 14.2(c) and 14.3(e) of the Act, no person shall cause or allow the construction, use or operation of any facility for the storage and handling of de-icing agents which is:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 1) Located wholly or partially within a minimum setback zone and which is either a new potential primary source or a new potential secondary source, except as specified in Sections 616.104(a) and (b); or
- 2) Located wholly or partially within a maximum setback zone and which is a new potential primary source, except as specified in Section 616.104(b).
- b) No person shall cause or allow the construction, use or operation within any setback zone or regulated recharge area of any outdoor facility for the storage and handling of de-icing agents, except as provided at Section 616.105.

Section 616.723 Groundwater Monitoring

The owner or operator shall comply with the requirements of Subpart B.

Section 616.724 Design and Operating Requirements For Indoor Storage Facilities

- a) The base of the facility must be constructed of materials capable of containing de-icing agents (i.e., bituminous or concrete pad).
- b) The roof and walls of the facility must be constructed of materials capable of protecting the storage pile from precipitation and capable of preventing dissolved de-icing agents from entering into the adjacent soil, surface water, or groundwater. The walls of the facility must be constructed of materials compatible with the de-icing agents to be placed in the facility. Run-off from the roof must be diverted away from the loading pad.
- c) The loading pad of the facility must be constructed of materials capable of containing a spill (i.e., concrete or bituminous pad). The borders of the loading pad must be curbed to prevent dry or dissolved de-icing agents from migrating from the loading pad into the adjacent soils, surface water, or groundwater. The loading pad must be covered by a roof of sufficient size to provide the pad and de-icing agents with protection from precipitation to prevent run-off or dissolved de-icing

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

agents from entering into the adjacent soil, surface water, or groundwater.

- d) All areas surrounding the storage pile, including but not limited to the loading pad, must be routinely inspected to determine whether any release of de-icing agents has occurred. Such areas shall be cleaned as necessary. Spilled de-icing agents must be placed back under the protective covering of the indoor storage pile. The storage pile must be reshaped as often as necessary to prevent leaching.
- e) The integrity of the facility and loading pad must be maintained.
- f) All areas surrounding the storage facility must be inspected daily to determine whether any release of de-icing agents has occurred. Spilled de-icing agents must be placed back into the storage facility.

Section 616.725 Closure

- a) At closure, all de-icing agents must be removed from the site, discharge control equipment and discharge confinement structures.
- b) All de-icing agents that are to be disposed in the State of Illinois must be disposed at a disposal site permitted under the Act.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 1) Heading of the Part: Regulated Recharge Areas
- 2) Code Citation: 35 Ill. Adm. Code 617
- 3) Section Numbers:

617.101	<u>Proposed Action:</u>
617.102	New Section
	New Section
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1017.4 and 1027.
- 5) A Complete Description of the Subjects and Issues Involved:

The proposed rules are part of a proceeding entitled Groundwater Protection: Regulations For Existing and New Activities Within Setback Zones and Regulated Recharge Areas, Board Docket R89-5. The purpose of these proposed rules is to provide a vehicle for the Board to establish boundaries for regulated recharge areas pursuant to Section 17.4 of the Environmental Protection Act. Other related rulemakings are proposed new Parts 615 and 616 and proposed amendments to Part 601 and are contained in separate notices pertaining to those parts. A complete description is also contained in the Board's Opinion and Order of August 31, 1989, which is available from the Clerk of the Board at the address indicated below. (See #11)
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? No
- 8) Does this proposed rule contain incorporations by reference? No.
- 9) Are there any other amendments pending on this Part? No.
- 10) Statement of Statewide Policy Objectives:

The proposed amendments would not require a local government to establish, expand, or modify its activities in such a way as to necessitate additional expenditures from local revenues.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a minimum of 45 days after the date of this publication. Comments should reference Docket R89-5 and be addressed to:

Ms. Dorothy M. Gunn, Clerk
Illinois Pollution Control Board
State of Illinois Center, Suite 11-500
100 W. Randolph St.
Chicago, IL 60601
- 12) Initial Regulatory Flexibility Analysis:
 - A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: September 8, 1989
 - B) Types of small businesses affected:

There are no known small businesses which would be affected by these rules.
 - C) Reporting, bookkeeping or other procedures required for compliance:

There are no new reporting, bookkeeping or other procedures contained in these proposed rules.
 - D) Types of professional skills necessary for compliance:

There are no professional skills necessary for compliance. Compliance with existing regulations in Subtitle F may require the services of an attorney, chemist, and professional engineer.

The full text of the Proposed Rules begin on the next page:

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED RULES

TITLE 35: ENVIRONMENTAL PROTECTION
SUBTITLE F: PUBLIC WATER SUPPLIES
CHAPTER I: POLLUTION CONTROL BOARD

PART 617
REGULATED RECHARGE AREAS
SUBPART A: GENERAL

Section
617.101 Purpose
617.102 Definitions

AUTHORITY: Implementing Section 17.4 and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1017.4 and 1027).

SOURCE: (Adopted in R89-5 at _____ Ill. Reg. _____,
effective _____)

SUBPART A: GENERAL

Section 617.101 Purpose

This Part sets out regulated recharge areas as delineated pursuant to Section 17.4 of the Act.

Section 617.102 Definitions

Unless a different meaning of a word or term is clear from the context, the definition of words or terms in this Part shall be the same as those used in 35 Ill. Adm. Code 615.102, the Act, or the Illinois Groundwater Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 7451 et seq.).

ILLINOIS REGISTER
POLLUTION CONTROL BOARD
NOTICE OF PROPOSED RULES

1) The Heading of the Part: Regulatory and Informational
Hearings and Proceedings

2) Code Citation: 35 Ill. Adm. Code 102

Section Number:	Proposed Action:
102.100	New Section
102.101	New Section
102.102	New Section
102.103	New Section
102.104	New Section
102.120	New Section
102.121	New Section
102.122	New Section
102.123	New Section
102.140	New Section
102.141	New Section
102.142	New Section
102.160	New Section
102.161	New Section
102.162	New Section
102.163	New Section
102.180	New Section
102.181	New Section
102.182	New Section
102.183	New Section
102.200	New Section
102.201	New Section
102.202	New Section
102.220	New Section
102.221	New Section
102.222	New Section
102.240	New Section
102.241	New Section
102.242	New Section
102.260	New Section
102.261	New Section
102.262	New Section
102.280	New Section
102.281	New Section
102.282	New Section
102.283	New Section
102.284	New Section
102.285	New Section
102.300	New Section
102.301	New Section
102.320	New Section
102.340	New Section
102.341	New Section

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

102.342 New Section
 102.343 New Section
 102.344 New Section
 102.345 New Section
 102.346 New Section
 102.347 New Section
 102.348 New Section
 102.360 New Section
 102.361 New Section
 102.362 New Section
 102.363 New Section

4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111¹, par. 1026--1028.2.

5) A Complete Description of the Subjects and Issues Involved:
 In response to legislative action, and in order to update its regulations, the Board is revising its procedural rules. This docket (R88-5(B)) includes new rules governing regulatory proceedings before the Board. The rules proposed here will replace the existing rules on regulatory proceedings in Part 102. The Board has proposed repeal of existing Part 102.

6) Will this proposed rule replace an emergency rule currently in effect? No.

7) Does this rulemaking contain an automatic repeal date?

Yes ☒ No ☐

If "yes," please specify the date: _____

8) Does this proposed amendment contain incorporations by reference? No.

9) Are there any other amendments pending on this Part? No.

Section Number Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objective (if applicable)?
 The Board is proposing new procedural rules which would apply to all persons who participate in a regulatory proceeding before the Board. The Board does not believe that these proposed rules will impose additional expenditures on units of local government.

11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:
 The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Comments should refer to Docket R88-5(B) and be addressed to Ms. Dorothy M. Gunn, Clerk, Illinois Pollution Control Board, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601.

12) Initial Regulatory Flexibility Analysis (if applicable):

A) Date rule submitted to Small Business Office:
 September 6, 1989.

B) Types of small businesses affected:

The proposed rules are procedural rules which would govern all persons who participate in a regulatory proceeding. To the extent that small businesses may participate in regulatory proceedings, these rules will affect those small businesses.

C) Reporting, bookkeeping for compliance:

The proposed rules prescribe various requirements for participants in regulatory proceedings. However, the proposed rules do not impose requirements on persons who are not participating in such a proceeding.

D) Professional skills necessary for compliance:

The proposed rules are merely procedural requirements which would not necessitate professional skills for compliance.

The full text of the Proposed Amendments begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

TITLE 35: ENVIRONMENTAL PROTECTION
 SUBTITLE A: GENERAL PROVISIONS
 CHAPTER I: POLLUTION CONTROL BOARD

PART 102

REGULATORY AND INFORMATIONAL
 HEARINGS AND PROCEEDINGS

SUBPART A: GENERAL PROVISIONS

Section
 102.100
 102.101
 102.102
 102.103
 102.104

Applicability
 Definitions
 Types of Regulatory Proposals
 Waiver Of Requirements
 Other Proceedings

SUBPART B: REGULATIONS OF GENERAL APPLICABILITY

Section
 102.120
 102.121
 102.122
 102.123

Proposal
 Contents
 Dismissal
 Proposal Of RCRA Amendments

SUBPART C: SITE-SPECIFIC REGULATIONS

Section
 102.140
 102.141
 102.142

Proposal
 Contents
 Dismissal

SUBPART D: AUTHORIZATION, SCHEDULING, AND NOTICE OF HEARINGS

Section
 102.160
 102.161
 102.162
 102.163

Authorization Of Hearing
 Scheduling Of Hearings
 Notice Of Hearing
 Notice Of Site-Specific RCRA Proposals

SUBPART E: ECONOMIC IMPACT STUDY DETERMINATIONS

Section
 102.180
 102.181
 102.182
 102.183

Board Determinations
 Request For Determination
 Basis For Board Determination
 Notice Of Board Determination

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

SUBPART F: CERTIFICATION OF REQUIRED RULES

Section
 102.200
 102.201
 102.202

Agency Certification
 Challenge To Agency Certification
 Board Determination

SUBPART G: AUTHORITY OF HEARING OFFICER

Section
 102.220
 102.221
 102.222

Authority Of Hearing Officer
 Notice And Service Lists
 Effect Of Hearing Officer Ruling

SUBPART H: PRE-HEARING CONFERENCES

Section
 102.240
 102.241
 102.242

Initiation And Scheduling
 Purpose
 Pre-hearing Order

SUBPART I: MOTIONS AND DISCOVERY

Section
 102.260
 102.261
 102.262

Motion Practice
 Production Of Information
 Subpoenas

SUBPART J: REGULATORY HEARINGS

Section
 102.280
 102.281
 102.282
 102.283
 102.284
 102.285

Pre-hearing Submission Of Testimony and Exhibits
 Transcript
 Admissible Information
 Presentation Of Testimony
 Questioning Of Witnesses
 Record For Decision

SUBPART K: ECONOMIC IMPACT HEARINGS

Section
 102.300
 102.301

Hearings On The Economic Impact Study Of New Proposals
 Hearings On The Economic Impact Study Of Existing Regulations

SUBPART L: PUBLIC COMMENTS

Section
 102.320

Public Comments

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

SUBPART M: BOARD ACTION

Section
 102.340 Revision Of Proposed Regulations
 102.341 Adoption Of Regulations
 102.342 First Notice Of Proposed Regulations
 102.343 Second Notice Of Proposed Regulations
 102.344 Notice Of Board Final Action
 102.345 Adoption Of Identical In Substance Regulation
 102.346 Adoption Of Emergency Regulations
 102.347 Adoption Of Peremptory Regulations
 102.348 Adoption Of Temporary Regulations

SUBPART N: MOTION FOR RECONSIDERATION AND APPEAL

Section
 102.360 Filing Of Motion For Reconsideration
 102.361 Disposition Of Motions For Reconsideration
 102.362 Correction of Publication Errors
 103.363 Appeal

AUTHORITY: Implementing Sections 5, 7.2, 13(c), 13.3, 17.5, 22.4(a), 22.4(d), 22.7(d), 27, 28, 28.2, 29, and 41 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111½, pars. 1005, 1007.2, 1013(c), 1013.3, 1017.5, 1022.4(a), 1022.4(d), 1022.7(d), 1027, 1028, 1028.2, 1029, and 1041, as amended by Public Act 85-1048, effective January 1, 1989) and Section 4 of "AN ACT in relation to natural resources, research, data collection and environmental studies" (Ill. Rev. Stat. 1987, ch. 98½, par. 7404, as amended by P.A. 85-1048, effective January 1, 1989) and authorized by Section 26 of the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111½, par. 1026).

SOURCE: Originally adopted as Chapter 1: Procedural Rules, Part II: Regulatory and Other Nonadjudicative Hearings and Proceedings, in R70-4, 1 PCB 43, October 8, 1970; codified at 6 Ill. Reg. 8357; amended in R84-10 at 9 Ill. Reg. 1398, effective January 16, 1985; Part repealed, new Part adopted in R88-5(B) at Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

SUBPART A: GENERAL PROVISIONS

Section 102.100 Applicability

This Part applies to all regulatory and informational hearings

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

and proceedings, and shall be read in conjunction with 35 Ill. Adm. Code 101. Hearings conducted pursuant to this Part shall be quasi-legislative in nature. All testimony shall be sworn. All persons taking part in these hearings are participants, rather than parties as in contested cases.

Section 102.101 Definitions

The following definitions shall apply to this Part:

"Act" means the Environmental Protection Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 1001 et seq.).

"Agency" means the Illinois Environmental Protection Agency.

"APA" means the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1987, ch. 127, par. 1001 et seq.).

"Attorney General" means the Office of the Attorney General of the State of Illinois.

"Board" means the Illinois Pollution Control Board.

"Chairman" means the Chairman of the Board.

"Clerk" means the Clerk of the Board.

"Document" means pleading, notice, motion, affidavit, memorandum, brief, petition, or other paper required or permitted to be filed.

"DNS" means the Illinois Department of Nuclear Safety.

"Economic impact study" means the economic impact study performed by ENR pursuant to Board determination under Section 27 of the Act.

"ENR" means the Illinois Department of Energy and Natural Resources.

"Fire Marshal" means the Office of the State Fire Marshal.

"Identical in substance regulations" means STATE REGULATIONS WHICH REQUIRE THE SAME ACTIONS WITH RESPECT TO PROTECTION OF THE ENVIRONMENT, BY THE SAME GROUP OF AFFECTED PERSONS, AS WOULD FEDERAL REGULATIONS IF THE UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

ADMINISTERED THE SUBJECT PROGRAM IN ILLINOIS. (Section 7.2 of the Act.)

"Identical in substance rulemakings" are those proceedings conducted pursuant to specific authorization of the Act, including but not limited to Sections 13(c), 13.3, 17.5, 22.4(a), 22.4(d) and 22.7(d).

"JCRA" means the Joint Committee on Administrative Rules.

"Material" means relating to any substantive issue that is of consequence to the determination of a proceeding.

"Participant" means any person, not including the Board or its staff but including the proponent, who takes part in a regulatory or other quasi-legislative proceeding before the Board. A person becomes a participant in any of several ways, including, but not limited to, filing a comment, being added to the notice list of a particular proceeding or testifying at hearing.

"Peremptory rulemaking" means ANY RULEMAKING WHICH IS REQUIRED AS A RESULT OF FEDERAL LAW, FEDERAL RULES AND REGULATIONS, OR AN ORDER OF A COURT, UNDER CONDITIONS WHICH PRECLUDE COMPLIANCE WITH THE GENERAL RULEMAKING REQUIREMENTS OF SECTION 5.01 OF THE APA AND WHICH PRECLUDE THE EXERCISE BY THE BOARD AS TO THE CONTENT OF THE RULE. (Section 5.03 of the APA.)

"Person" means any entity defined in Section 3.26 of the Act, including but not limited to any individual, partnership, company, corporation, political subdivision, or state agency.

"Proponent" means any person, not including the Board or its staff, who submits a regulatory proposal to the Board for the adoption, amendment, or repeal of a regulation.

"RCRA" means the Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901 et seq.).

"RCRA rules" means 35 Ill. Adm. Code 702, 703, 720, 721, 722, 723, 724, 725, 726, and 728.

"Relevant" means having any tendency to make the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

existence of any act that is of consequence to the determination of the proceeding more probable or less probable that it would be without the information.

"Required rule" means a rule that is NEEDED TO FULFILL THE REQUIREMENTS OF THE FEDERAL CLEAN WATER ACT (33 U.S.C. 1251 ET SEQ.), SAFE DRINKING WATER ACT, (42 U.S.C. 300f ET SEQ.), CLEAN AIR ACT (42 U.S.C. 7401 ET SEQ.), OR RESOURCE CONSERVATION AND RECOVERY ACT (42 U.S.C. 6901 ET SEQ.) OTHER THAN A RULE TO BE ADOPTED UNDER SECTION 13(c), 13.3, 17.5, 22.4(a), 22.4(d), OR 22.7 OF THE ACT. (Section 28.2 of the Act.)

"Site-specific regulation" means a proposed or adopted regulation SPECIFIC TO INDIVIDUAL PERSONS OR SITES. (Section 27(a) of the Act.)

"Undue delay" means delay which is unwarranted, unjustified, improper, or is more delay than necessary.

"USEPA" means the United States Environmental Protection Agency.

Section 102.102 Types Of Regulatory Proposals

a) The Act provides for three types of regulatory proposals:

- 1) Identical in substance rulemakings, as defined in Section 102.101;
- 2) Federally required rules, as defined in Section 102.101; and
- 3) Other regulatory proposals, both of general applicability and not of general applicability.

b) Regulations arising from these types of proposals may be adopted through four types of rulemaking:

- 1) General rulemaking pursuant to Section 5.01 of the APA (Ill. Rev. Stat. 1987, ch. 127, par. 1005.01), and Sections 26 and 27 of the Act (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 1026-1027);
- 2) Emergency rulemaking pursuant to Section 5.02 of the APA (Ill. Rev. Stat. 1987, ch. 127, par. 1005.02) and Section 27 of the Act;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 3) Peremptory rulemaking pursuant to Section 5.03 of the APA (Ill. Rev. Stat. 1987, ch. 127, par. 1005.03); and
- 4) Temporary rulemaking pursuant to Section 27(b) of the Act.

- c) The provisions of Subpart B of this Part apply to all types of regulatory proposals except identical in substance proposals.

Section 102.103 Waiver Of Requirements

The Board may waive any of the non-statutory requirements of this Part upon a showing by a person that a particular requirement would create an undue burden on that person.

Section 102.104 Other Proceedings

The Board may conduct such other noncontested or informational hearings as may be necessary to accomplish the purposes of the Act.

SUBPART B: REGULATIONS OF GENERAL APPLICABILITY

Section 102.120 Proposal

Any person may submit a regulatory proposal for the adoption, amendment, or repeal of a regulation. The original and nine (9) copies of each proposal shall be filed with the Clerk and one copy each with the Attorney General, the Agency and ENR.

Section 102.121 Contents

Each proponent shall provide:

- a) The language of the proposed regulation or amendment, including an identification of the existing regulatory language proposed to be amended or deleted. Language being added shall be indicated by underscoring and language being deleted shall be indicated by strikeouts. The proposed rule shall be drafted in accordance with 1 Ill. Adm. Code 100.Subpart C;
- b) A statement of the reasons supporting the proposal, including a statement of the facts which support the proposal, and a statement of the purpose and effect of the proposal. The statement shall discuss the applicable factors listed in Section 27 of the Act.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Where the proposal covers more than one substantive point, the statement of reasons shall include statements in support of each point. The statement of reasons shall include a technical and economic justification for the proposal;

- c) Pursuant to Section 27 of the Act, A RECOMMENDATION OF WHETHER AN ECONOMIC IMPACT STUDY IS ADVISABLE. The recommendation shall describe, TO THE EXTENT REASONABLY PRACTICABLE, THE UNIVERSE OF AFFECTED SOURCES AND FACILITIES AND THE ECONOMIC IMPACT OF THE PROPOSED RULE. The recommendation shall also address the questions contained in the Analysis of Economic and Budgetary Effects of Proposed Rulemaking, set forth at 1 Ill. Adm. Code 220.Exhibit B, and identify issues to be addressed by any economic impact study;

- d) A synopsis of all testimony to be presented by the proponent at hearing;

- e) If the Agency is the proponent, and if the Agency believes that the proposed rule is a required rule pursuant to Section 28.2 of the Act, citation to the specific section of the specific federal act;

- f) Copies of any material to be incorporated by reference within the proposed regulation pursuant to Section 6.02 of the APA;

- g) Proof of service upon all persons required to be served pursuant to Section 102.120;

- h) Unless the proponent is the Agency, ENR, or DNS, a petition signed by at least 200 persons, pursuant to Section 28 of the Act and Section 102.160(a); and

- i) Where circumstances render any information required by this Subpart inapplicable, a justification for such inapplicability.

Section 102.122 Dismissal

- a) Failure of the proponent to satisfy the content requirements of Section 102.121 or failure to respond to Board requests for additional information will render a proposal subject to dismissal for inadequacy.
- b) Failure of the proponent to pursue disposition of the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

proposal in a timely manner will render a proposal subject to dismissal.

- c) Any person may file a motion challenging the sufficiency of a proposal pursuant to 35 Ill. Adm. Code 101.243.

Section 102.123 Proposal Of RCRA Amendments

In addition to satisfying the requirements of Section 102.121, any proposal to amend the RCRA regulations shall:

- a) Indicate whether it is made pursuant to the provisions of Section 22.4(a), 22.4(b) or 22.4(c) of the Act;
- b) Include a listing of all amendments to the corresponding federal regulations since the period encompassed by the last amendment of the Board's RCRA rules; and
- c) Include a certificate of service indicating that a copy of the proposal has been served on the United States Environmental Protection Agency (USEPA). Service shall be made at the following address:

Director, Waste Management Division
USEPA, Region V
230 South Dearborn Street
Chicago, Illinois 60604

SUBPART C: SITE SPECIFIC REGULATIONS

Section 102.140 Proposal

Any person may submit a written proposal for the adoption, amendment or repeal of a substantive site-specific regulation. The original and nine (9) copies of each proposal shall be filed with the Clerk and one copy each served upon the Agency, ENR, and the Attorney General.

Section 102.141 Contents

- a) The proponent shall identify the regulations which are to be addressed by the proposed amendment and the language to be added, deleted, or repealed. Language being added shall be indicated by underscoring and language being deleted shall be indicated by strike-outs.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- b) The proponent shall provide a statement of reasons and facts supporting the proposal, and a statement of the purpose and effect of the proposal.
- c) The proposal shall also comply with all requirements set forth in Section 102.121.
- d) In the event that the proposed rule would replace the applicability of a general rule to the pollution source, the proposal shall specify, with supporting documentation, the reasons why the general rule is not technically feasible or economically reasonable for the person or site. Such documentation shall include relevant information on other similar persons' or sites' ability to comply with the general rule.
- e) The proposal shall describe the person or site for which regulatory change is sought and the area affected by the proposed change. The proposal shall also include a detailed assessment of the environmental impact of the proposed change, and include a description of all available treatment or control options.
- f) The proposal shall demonstrate that the Board may grant the requested relief consistent with federal law.
- g) Where circumstances render any information requested in this Subpart inapplicable, the proposal shall include a justification for such inapplicability.

Section 102.142 Dismissal

- a) Failure of the proponent to satisfy the content requirements for proposals under this Subpart or failure to respond to Board requests for additional information will render a proposal subject to dismissal for inadequacy.
- b) Failure of the proponent to pursue disposition of the proposal in a timely manner will render a proposal subject to dismissal.
- c) Any person may file a motion challenging the sufficiency of the proposal pursuant to 35 Ill. Adm. Code 101.243.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

SUBPART D: AUTHORIZATION, SCHEDULING, AND
NOTICE OF HEARINGS

Section 102.160 Authorization Of Hearing

- a) The Clerk shall assign a docket number to any proposal. All regulatory proposals will be placed on the Board agenda for determination of adequacy under the Act and Sections 102.121 and 102.141. IF THE BOARD FINDS THAT ANY SUCH PROPOSAL IS NOT PLAINLY DEVOID OF MERIT, DOES NOT DEAL WITH A SUBJECT ON WHICH A HEARING HAS BEEN HELD WITHIN THE PRECEDING 6 MONTHS, IS ACCOMPANIED BY AN ADEQUATE STATEMENT OF SUPPORTING REASONS AND A PETITION SIGNED BY AT LEAST 200 PERSONS, and meets the requirements of this Part, THE BOARD WILL SCHEDULE A PUBLIC HEARING FOR CONSIDERATION OF THE PROPOSAL. IF A PROPOSAL IS MADE BY THE AGENCY, ENR, OR DNS, THE BOARD SHALL SCHEDULE A PUBLIC HEARING WITHOUT REGARD TO THE ABOVE CONDITIONS. Pursuant to Section 28 of the Act, THE BOARD MAY ALSO IN ITS DISCRETION SCHEDULE A PUBLIC HEARING UPON ANY PROPOSAL WITHOUT REGARD TO THE ABOVE CONDITIONS. (Section 28 of the Act.) The proponent must cure any inadequacy identified by Board order before the proposal will proceed to hearing.

- b) If the Board determines that a proposal meets the requirements of subsection (a), and if any filing fee required by the Act and 35 Ill. Adm. Code 101.120 has been paid, the Board will issue an order accepting the proposal for hearing. Such an order will be construed as starting the timeclock for purposes of any applicable economic impact study and first notice publication deadlines pursuant to Sections 27 and 28.2 of the Act.

- c) When the Board authorizes a hearing, the Chairman will designate an attending Board member. A member of the Board may serve as hearing officer if otherwise qualified, and such hearing need not be attended by another Board member.

- d) In the case of a proposed regulatory change under the provisions of 35 Ill. Adm. Code 302.211(j) or 304.141(c), the requirement of subsection (a) relating to a requirement of 200 signatures shall not apply. In such case only a single hearing shall be required, to be held in the affected county.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- e) The Board may consolidate proposals for hearing or decision.

Section 102.161 Scheduling Of Hearings

- a) Except as otherwise provided by the Act, no substantive regulation shall be adopted, amended or repealed by the Board until after at least one public hearing. In the case of site-specific rules, a public hearing shall be held in the affected county. In the case of state-wide regulations, public hearings shall be held in at least two counties of the state.

- b) The Board need not hold a hearing on a procedural regulation, except as provided by Section 5.01 of the APA.

- c) After consideration of the number and complexity of issues involved in a regulatory proposal, the Board will issue an order preliminarily specifying the number of hearings to be held on that proposal. This order may be combined with the order accepting the proposal for hearing (see Section 102.160) or the order making the economic impact study determination (see Subpart E), or may be a separate order.

- d) If the proponent or any participant wishes to request a hearing beyond the number of hearings specified by the Board pursuant to subsection (c), that person must demonstrate, in a written motion to the Board, that failing to hold an additional hearing would result in material prejudice to the movant. The movant must show why an additional hearing, as opposed to the opportunity to submit written comments pursuant to Section 102.320, is necessary.

- e) Notwithstanding subsection (d), the Board will schedule an additional hearing or hearings on its own motion, if it finds that additional hearing would aid the Board in its decision on the proposal.

Section 102.162 Notice Of Hearing

- a) The hearing officer will set a time and place for hearing. The Clerk shall give notice of the date of the hearing as follows:

- 1) By notice in the Board's Environmental Register; and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- 2) At least 20 days prior to the hearing date, by public advertisement in a newspaper of general circulation in the county in which the hearing is to be held. Where required by federal law, including but not limited to air pollution and RCRA proposals, newspaper notice shall be published at least 30 days prior to the hearing date.
- b) The hearing officer will give notice by mail to the proponent and to all persons who have submitted their names and addresses to the Clerk concerning the proposal.
- c) Hearings which are continued on the hearing record for a period of 45 days or less do not require notice that complies with subsections (a) and (b).

Section 102.163 Notice Of Site-Specific RCRA Proposals

- a) Public notice of hearings on site-specific RCRA proposals shall be given at least 30 days before the date of the hearing.
- b) In addition to the requirements of Section 28 of the Act and Section 102.211, the Board, at a minimum, will give notice of hearings on a site-specific RCRA proposal to the following persons:

- 1) Federal agencies as designated by USEPA;
- 2) Illinois Department of Transportation;
- 3) Illinois Department of Conservation;
- 4) Illinois Department of Energy and Natural Resources;
- 5) Illinois Department of Public Health;
- 6) The governor of any other state adjacent to the county in which the facility is located; and
- 7) Elected officials of any counties, in other states, adjacent to the county in which the facility is located, and elected officials in any municipality, in another state, if it is the closest population center to the facility.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- c) In addition to the methods of notice by publication of Section 28 of the Act and Section 102.241, the Board will give notice by radio broadcast in the area of the facility. That notice will include the information required by subsections (d)(2) and (d)(4) through (d)(8) below.
- d) A hearing notice on a site-specific RCRA proposal will include the following information:
 - 1) The address of the Board office;
 - 2) Name and address of the proponent and, if different, of the facility for which the site-specific rule is sought;
 - 3) A brief description of the business conducted at the facility and the activity described in the petition;
 - 4) A description of the relief requested in the petition and the Board's docket number of the proceeding;
 - 5) Name, address and telephone number of the Clerk of the Board, from whom interested persons may obtain further information, including copies of the proposal;
 - 6) The name, address and telephone number of the Agency's representative in the rulemaking;
 - 7) A description of any written comment period or a statement that a comment period will be established in the future;
 - 8) A statement that the record in the rulemaking is available at the Board office for inspection, except those portions which are claimed or determined to be trade secrets, and that procedures are available whereby disclosure may be sought by the public pursuant to 35 Ill. Adm. Code 120.
 - 9) A statement that site-specific rules may be adopted pursuant to Title VII of the Act and 35 Ill. Adm. Code 102, and a reference to the Board regulations sought to be modified; and

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED RULES

- 10) Any additional information considered necessary or proper.

SUBPART E: ECONOMIC IMPACT STUDY DETERMINATIONS

Section 102.180 Board Determinations

- a) Within 60 days of the date that the Board accepts a proposal for hearing pursuant to Section 28 of the Act and Section 102.160, the Board shall determine whether an economic impact study should be prepared.
- b) Notwithstanding subsection (a), AT ANY TIME PRIOR TO THE CLOSE OF THE RECORD DURING THE RULEMAKING PROCEEDING, THE BOARD MAY DETERMINE THAT AN ECONOMIC IMPACT STUDY SHOULD BE PREPARED, IF THE PROPOSAL HAS BEEN SUBSTANTIALLY MODIFIED OR IF INFORMATION IN THE RECORD INDICATES THAT AN ECONOMIC IMPACT STUDY WOULD BE ADVISABLE. (Section 27 of the Act.) However, this subsection is not applicable to proceedings involving required rules pursuant to Section 28.2 of the Act.
- c) IF THE BOARD DETERMINES THAT AN ECONOMIC IMPACT STUDY SHOULD BE CONDUCTED, ENR SHALL CONDUCT SUCH A STUDY IN ACCORDANCE WITH "AN ACT IN RELATION TO NATURAL RESOURCES, RESEARCH, DATA COLLECTION AND ENVIRONMENTAL STUDIES" (Ill. Rev. Stat. 1987, ch. 96 1/2, par. 7401 et seq.). THE BOARD MAY IDENTIFY SPECIFIC ISSUES TO BE ADDRESSED IN THE STUDY. (Section 27 of the Act.)

Section 102.181 Request For Determination

- a) WITHIN 21 DAYS OF THE DATE THAT THE BOARD ACCEPTS A PROPOSAL FOR HEARING PURSUANT TO SECTION 28 OF THE ACT AND SECTION 102.160, ANY PERSON MAY REQUEST THAT THE BOARD DETERMINE THAT AN ECONOMIC IMPACT STUDY SHOULD OR SHOULD NOT BE PREPARED. (Section 27 of the Act.)
- b) Such request shall be made in writing, and shall detail the reasons for the request. The request SHALL DESCRIBE, TO THE EXTENT REASONABLY PRACTICABLE, THE ECONOMIC IMPACT OF THE PROPOSED RULE. (Section 27 of the Act.) All material facts asserted in the request shall be verified by affidavit.
- c) The person filing the request shall file the original and nine (9) copies with the Clerk, and one copy each

POLLUTION CONTROL BOARD
NOTICE OF PROPOSED RULES

with the Agency, ENR, the Attorney General, and the proponent.

- d) No hearing will be held on any request filed pursuant to this Section.

Section 102.182 Basis For Board Determination

In determining whether an economic impact study should be performed, the Board will consider:

- a) Information in the record furnished by the proponent pursuant to Sections 102.121 and 102.141 and by any person filing a request for determination pursuant to Section 102.231;
- b) ITS ASSESSMENT OF THE POTENTIAL ECONOMIC IMPACT OF THE RULE;
- c) THE POTENTIAL FOR CONSIDERATION OF THE ECONOMIC IMPACT ABSENT SUCH A STUDY;
- d) THE EXTENT, IF ANY, TO WHICH THE BOARD IS FREE UNDER THE STATUTE AUTHORIZING THE RULE TO MODIFY THE SUBSTANCE OF THE RULE BASED UPON THE CONCLUSIONS OF AN ECONOMIC IMPACT STUDY; and
- e) ANY OTHER CONSIDERATIONS THE BOARD DEEMS APPROPRIATE. (Sections 27 and 28.2 of the Act.)

Section 102.183 Notice of Board Determination

The Board will issue a written interlocutory order giving the reasons for its determination. The proponent, the Agency, ENR, the Attorney General and any person who has asked to be placed on the notice list for the proposal will be given notice of the Board's determination. Orders entered pursuant to this Section may be appealed only pursuant to 35 Ill. Adm. Code 101.304.

SUBPART F: CERTIFICATION OF REQUIRED RULES

Section 102.200 Agency Certification

WHEN THE AGENCY PROPOSES A RULE WHICH IT BELIEVES TO BE A REQUIRED RULE as defined by Section 28.2(a) of the Act and Section 102.101, THE AGENCY SHALL SO CERTIFY IN ITS PROPOSAL, IDENTIFYING THE FEDERAL LAW TO WHICH THE PROPOSED RULE WILL RESPOND. (Section 28.2(e) of the Act.) Such certification shall

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

include citation to the specific section of the specific federal law to which the proposed rule will respond.

Section 102.201 Challenge To Agency Certification

- a) If any person wishes to challenge the Agency's certification that a proposed rule is a required rule, that person shall file an objection to that certification within 21 days of the date of the Board's order accepting a proposal for hearing. Such objection shall state the reasons that the objector believes that the proposed rule is not a required rule, and shall include all arguments which the objector wishes the Board to consider. A copy of the objection shall be served upon the Agency and ENR.
- b) The Agency may file a response to any objection within 10 days of the service of that objection. No reply by the objector will be allowed, unless the Board orders otherwise to avoid material prejudice.
- c) No hearing will be held on any objection filed pursuant to this Section.

Section 102.202 Board Determination

- a) The Board will rule upon any objection filed pursuant to this Subpart within 60 days of the date that the Board accepts a proposal for hearing. The Board's ruling will be made in its order determining whether an economic impact study will be prepared, issued pursuant to Section 102.180.
- b) In ruling upon an objection to an Agency certification, the Board will consider all information in the record of that proceeding, including but not limited to the proposal, the objection, and the Agency response to the objection. The burden of proof is on the objector.
- c) The Board will give notice of its determination to the objector, the Agency, ENR, and any person who has asked to be placed on the notice list for that proposal.

SUBPART G: AUTHORITY OF HEARING OFFICER

Section 102.220 Authority Of Hearing Officer

The hearing officer has the duty to conduct a fair hearing, to take all necessary action to avoid delay, to maintain order, and

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

to ensure development of a clear, complete, and concise record. He or she will have all powers necessary to these ends, including (but not limited to) the authority to:

- a) Require and establish a schedule for, and notice and distribution of, any pre-hearing submission of testimony and written exhibits;
- b) Require all participants to state their position with respect to the proposal;
- c) Administer oaths and affirmations;
- d) Examine witnesses and direct witnesses to testify;
- e) Regulate the course of the hearing, including but not limited to controlling the order of proceedings;
- f) Establish reasonable limits on the duration of the testimony and questioning of any witness and limit repetitious or cumulative testimony and questioning;
- g) Issue, in the name of the Board, an order compelling the answering of interrogatories or other discovery requests;
- h) Order the production of evidence as specified in Section 102.261 and 35 Ill. Adm. Code 101.261;
- i) Initiate, schedule and conduct a pre-hearing conference as specified in Subpart H;
- j) Issue subpoenas pursuant to Section 102.262 and 35 Ill. Adm. Code 101.260;
- k) Exclude late-filed briefs and comments from inclusion in the record for decision;
- l) Rule upon motions as specified in 35 Ill. Adm. Code 101.247;
- m) Rule upon objections and evidentiary questions;
- n) Establish a schedule for discovery, including a date by which discovery must be completed; and
- o) Where pre-hearing submission of hearing testimony or exhibits has been required, allow the admission of

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

testimony or exhibits which were not pre-submitted, if necessary to prevent undue delay or material prejudice.

Section 102.221 Notice And Service Lists

- a) The hearing officer shall maintain a notice list for each regulatory proceeding. The notice list will consist of those persons who have furnished their names and addresses for inclusion on the notice list for a specific proceeding. Notice of all Board action and hearing officer orders will be given to all persons included on the notice list.

- b) The hearing officer may establish a service list for any regulatory proceeding, in addition to the notice list. The hearing officer may direct participants to serve copies of all documents upon the persons listed on the service list. In deciding whether to establish a service list, the hearing officer will consider factors including but not limited to, the complexity of the proceeding and the number of participants.

Section 102.222 Effect Of Hearing Officer Ruling

All decisions, orders, and rulings made by the hearing officer remain in effect during the pendency of any appeal to the Board of that decision, order, or ruling.

SUBPART H: PRE-HEARING CONFERENCES

Section 102.240 Initiation And Scheduling

- a) TO THE EXTENT CONSISTENT WITH ANY DEADLINE FOR ADOPTION OF ANY REGULATIONS MANDATED BY STATE OR FEDERAL LAW, PRIOR TO INITIATING ANY HEARING ON A REGULATORY PROPOSAL, THE BOARD MAY ASSIGN A QUALIFIED HEARING OFFICER WHO MAY SCHEDULE A PRE-HEARING CONFERENCE BETWEEN THE PROPONENT AND ANY OR ALL OF THE POTENTIALLY AFFECTED PERSONS. (Section 27(e) of the Act.) The hearing officer may schedule a pre-hearing conference on his or her own motion, or on the motion of the proponent or any potentially affected person. A motion to schedule a pre-hearing conference shall be directed to the hearing officer.

- b) THE NOTICE REQUIREMENTS OF SECTION 28 of the Act and Section 102.151 SHALL NOT APPLY TO SUCH PRE-HEARING CONFERENCES. (Section 27(e) of the Act). However, the hearing officer will give notice to any person who has

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

requested inclusion on the notice list of that proposal.

Section 102.241 Purpose

The purpose of a pre-hearing conference shall be:

- a) TO MAXIMIZE UNDERSTANDING OF THE INTENT AND APPLICATION OF THE PROPOSAL;
- b) TO REACH AGREEMENT ON ASPECTS OF THE PROPOSAL, IF POSSIBLE; AND
- c) TO ATTEMPT TO IDENTIFY AND LIMIT THE ISSUES OF DISAGREEMENT AMONG THE PARTICIPANTS TO PROMOTE EFFICIENT USE OF THE TIME AT HEARING. (Section 27(e) of the Act.)

Section 102.242 Pre-hearing Order

- a) NO RECORD OF THE PRE-HEARING CONFERENCE NEED BE KEPT, NOR SHALL ANY PARTICIPANT OR THE BOARD BE BOUND BY ANY DISCUSSIONS CONDUCTED AT THE PRE-HEARING CONFERENCE.

- b) Notwithstanding subsection (a), WITH THE CONSENT OF ALL PARTICIPANTS IN THE PRE-HEARING CONFERENCE, THE HEARING OFFICER MAY ENTER A PRE-HEARING ORDER DELINEATING ISSUES TO BE HEARD, AGREED FACTS, AND OTHER MATTERS.

- c) If the participants agree to having a pre-hearing order entered pursuant to subsection(b), the hearing officer may require that the participants furnish the text of a proposed order setting forth the substance of the agreements reached at the pre-hearing conference. The hearing officer will enter that order if he or she agrees that it sets forth the substance of the agreement. The order shall identify which participants have agreed to the substance of the order.

- d) A PRE-HEARING ORDER SHALL NOT BE BINDING ON NONPARTICIPANTS IN THE PRE-HEARING CONFERENCE. (Section 27(e) of the Act.)

SUBPART I: MOTIONS AND DISCOVERY

Section 102.260 Motion Practice

Motion practice in regulatory proceedings is governed by 35 Ill. Adm. Code 101.Subpart H. All motions and responses shall be

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

served upon the proponent, the Agency, ENR, the Attorney General, and all persons on any service list established pursuant to Section 102.221(b).

Section 102.261 Production Of Information

The production of information in regulatory proceedings is governed by 35 Ill. Adm. Code 101.261.

Section 102.262 Subpoenas

The issuance and enforcement of subpoenas in regulatory proceedings is governed by 35 Ill. Adm. Code 101.260(b) through (i).

SUBPART J: REGULATORY HEARINGS

Section 102.280 Pre-hearing Submission Of Testimony And Exhibits

- a) The proponent shall submit all written testimony and any related exhibits 21 days prior to the hearing at which the witness testifies, unless the hearing officer directs otherwise to prevent material prejudice or undue delay.
- b) The hearing officer may require the pre-hearing submission of testimony and any related exhibits by participants other than the proponent if the hearing officer determines that such a procedure will provide for a more efficient hearing.
- c) The original and four (4) copies of pre-submitted testimony and exhibits shall be filed with the Clerk. The Agency, ENR, and, if a participant, the Attorney General shall each be served with one copy of each testimony and exhibit. One copy shall also be served upon the proponent and each participant on any service list, unless otherwise specified or limited by the hearing officer. Such service shall be initiated on or before the date that copies are filed with the Clerk.
- d) All testimony and exhibits shall be submitted in the form required by 35 Ill. Adm. Code 101.103 and labelled with the docket number of the proceeding, the name of the witness submitting the material or exhibit, and the title of the material or exhibit.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- e) The proponent and each participant who has pre-submitted testimony shall bring copies of that testimony and any exhibits to the hearing.
- f) Testimony submitted prior to hearing will be entered into the record as if read, unless the hearing officer determines that it will aid public understanding to have the testimony read. All persons testifying will be sworn and will be subject to examination. Modifications to previously submitted testimony and exhibits may be allowed by the hearing officer at hearing provided that such modifications are either non-substantive in nature or would not materially prejudice another person's participation at hearing. Objections to such modifications are waived unless raised at hearing.

- g) Where pre-hearing submission of testimony is required pursuant to subsection (a) and (b), any testimony which is not pre-submitted in a timely manner will be allowed only as time permits.

Section 102.281 Transcript

All testimony shall be recorded stenographically. When the transcript is filed with the Clerk, the hearing officer will receive and rule on typographical corrections and reporting errors from any person who may examine the transcript for accuracy. Failure of any witness to correct the transcript within 14 days after its receipt in Board offices constitutes a waiver of any right to correct.

Section 102.282 Admissible Information

All information which is relevant and not repetitious or privileged shall be admitted by the hearing officer. The hearing officer will rule on objections.

Section 102.283 Presentation of Testimony

- a) All witnesses at hearings shall be sworn.
- b) Testimony shall be in narrative form.

Section 102.284 Questioning Of Witnesses

All witnesses shall be subject to questioning by any person. Repetitious, irrelevant, harassing, or cumulative questioning will be prohibited by the hearing officer.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

Section 102.285 Record For Decision

The record includes the transcript, all written testimony, all exhibits admitted at hearing, and all public comments, briefs and other information timely filed with the Clerk.

SUBPART K: ECONOMIC IMPACT HEARINGS

Section 102.300 Hearings On The Economic Impact Study Of New Proposals

- a) Before the final adoption of any proposal, the Board shall conduct at least one hearing on any economic impact study submitted by ENR on any proposed regulation, or proposed amendment to existing regulation, unless otherwise provided by the Act.
- b) IN THE CASE OF A REQUIRED RULE, IF THE ECONOMIC IMPACT STUDY IS NOT SUBMITTED TO THE BOARD WITHIN SIX (6) MONTHS OF THE BOARD'S DECISION THAT AN ECONOMIC IMPACT STUDY SHOULD BE CONDUCTED, THE BOARD MAY PROCEED TO ADOPT A REQUIRED RULE WITHOUT AN ECONOMIC IMPACT STUDY. However, TO THE EXTENT POSSIBLE CONSISTENT WITH SECTION 28.2(b) OF THE ACT, THE BOARD SHALL CONDUCT A HEARING ON THE ECONOMIC IMPACT OF THE PROPOSED REQUIRED RULE. (Section 28.2 of the Act.) This requirement may be fulfilled by considering economic impact at any merit hearing on the proposed required rule.

- c) Hearings held pursuant to this Section may be consolidated with any other hearings held pursuant to this Part.

Section 102.301 Hearings On The Economic Impact Study Of Existing Regulations

- a) WITHIN A REASONABLE TIME, BUT NOT MORE THAN 120 DAYS, AFTER EACH ECONOMIC IMPACT STUDY ON EXISTING REGULATIONS HAS BEEN FILED BY ENR, THE BOARD SHALL CONDUCT PUBLIC HEARINGS ON SUCH STUDY.
- b) AFTER CONCLUSION OF THE HEARINGS, THE BOARD SHALL PUBLISH ITS FINDINGS AND CONCLUSIONS ON THE AREAS COVERED BY THE STUDY AND THE TESTIMONY RECEIVED BY THE BOARD. The Board will satisfy this requirement by entering a written order.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

- c) THE BOARD SHALL ALSO SPECIFICALLY DETERMINE WHETHER, AS A RESULT OF ITS FINDINGS AND CONCLUSIONS, ANY REGULATIONS OF THE BOARD SHALL BE MODIFIED OR REPEALED.
- d) IF THE BOARD CONCLUDES THAT MODIFICATION OR REPEAL MAY BE NECESSARY, IT SHALL PROPOSE SUCH MODIFICATION AS REGULATIONS AND CONDUCT FURTHER HEARINGS ON SAID MODIFICATION.

- e) ANY SUCH PROPOSED MODIFICATIONS SHALL NOT REQUIRE ANY ADDITIONAL ECONOMIC IMPACT STUDY. (Ill. Rev. Stat. 1987, ch. 96 $\frac{1}{2}$, par. 7404(b).)

SUBPART L: PUBLIC COMMENTS

Section 102.320 Public Comments

Any person may submit written comments on any proposal within 14 days after the receipt of the transcript in Board offices or within 14 days after regulation revision under Section 102.340, unless otherwise specified by the hearing officer or the Board to prevent material prejudice or undue delay. Comments shall be filed with the Clerk and served upon the participants on any service list established by the hearing officer pursuant to Section 102.221. Comments which are not timely filed will not be considered, except as allowed by the hearing officer or the Board to prevent material prejudice.

SUBPART M: BOARD ACTION

Section 102.340 Revision Of Proposed Regulations

- a) The Board may revise the proposed regulations before adoption based upon the record or in response to suggestions made at hearing and in written comments made prior to second notice. No additional hearing on the revisions need be held.
- b) THE BOARD MAY MODIFY AND SUBSEQUENTLY ADOPT ANY PROPOSED REGULATIONS, OR AMENDMENTS TO EXISTING REGULATIONS WITHOUT ANY ADDITIONAL ECONOMIC IMPACT STUDY; PROVIDED THAT SUCH MODIFICATION BY THE BOARD DOES NOT SIGNIFICANTLY ALTER THE INTENT AND PURPOSE OF THE PROPOSED REGULATION WHICH WAS THE SUBJECT OF ENR'S ECONOMIC IMPACT STUDY. (Section 27(b) of the Act.)
- c) Unless otherwise provided in the Act, THE BOARD MAY REVISE PROPOSED REGULATIONS AFTER HEARING IN RESPONSE TO OBJECTIONS OR SUGGESTIONS MADE BY JCAR PURSUANT TO

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

SECTIONS 5.01(b) AND 7.06(a) OF THE APA. THE BOARD MAY MAKE SUCH A REVISION WHERE IT FINDS:

- 1) THAT SUCH OBJECTIONS OR SUGGESTIONS RELATE TO THE STATUTORY AUTHORITY UPON WHICH THE REGULATION IS BASED, WHETHER THE REGULATION IS IN PROPER FORM, OR WHETHER ADEQUATE NOTICE WAS GIVEN; and
- 2) THAT THE RECORD BEFORE THE BOARD IS SUFFICIENT TO SUPPORT SUCH A CHANGE WITHOUT FURTHER HEARING. (Section 28 of the Act.)

Section 102.341 Adoption Of Regulations

- a) IN ADOPTING ANY NEW REGULATION, EXCEPT A REQUIRED RULE OR AN IDENTICAL IN SUBSTANCE REGULATION, THE BOARD SHALL CONSIDER THOSE ELEMENTS DETAILED IN ANY ECONOMIC IMPACT STUDY PERFORMED BY ENR ON THAT REGULATION. THE BOARD SHALL, IN ITS WRITTEN OPINION, MAKE A DETERMINATION, BASED UPON THE ECONOMIC IMPACT STUDY AND OTHER EVIDENCE IN THE RECORD, AS TO WHETHER THE PROPOSED REGULATION HAS ANY ADVERSE ECONOMIC IMPACT ON THE PEOPLE OF THE STATE OF ILLINOIS. (Section 27(b) of the Act.)
- b) In the case of a required rule, the Board will follow the procedures of subsection (a), except as provided in Section 102.300(b).
- c) As provided by Sections 13(c), 13.3, 17.5, 22.4(a), 22.4(d), and 22.7(d) of the Act, the provisions of Title VII of the Act and Section 5 of the APA shall not apply to identical in substance rulemakings.

Section 102.342 First Notice Of Proposed Regulations

Except when otherwise directed by the Act, the Board shall give first notice of its proposed adoption, amendment, or repeal of regulations pursuant to Section 5.01 of the APA. The first notice period shall be at least 45 days, and shall begin on the day that first notice is published in the Illinois Register. The Board will accept written comments from any person concerning the proposed regulations during the first notice period.

Section 102.343 Second Notice Of Proposed Regulations

- a) Except when otherwise directed by the Act, the Board shall give second notice of its proposed adoption, amendment, or repeal of regulations to JCAR. The

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

second notice period shall begin on the date written notice is received by JCAR, and shall expire 45 days after that date, except as provided by Section 5.01 of the APA. The Board will accept comments only from JCAR during the second notice period.

- b) After the beginning of the second notice period, no changes will be made to the proposed regulation, except in response to objections or suggestions from JCAR. Such changes will be made pursuant to Section 102.340(c).

Section 102.344 Notice Of Board Final Action

The Board will give notice of its final action on a proposal to the proponent, the Agency, ENR, the Attorney General, and all persons on the notice list. The Board will publish notice of its final action in the Environmental Register, and will enter a written opinion stating the reasons in support of its final action.

Section 102.345 Adoption Of Identical In Substance Regulation

- a) Prior to adopting identical in substance regulations, the Board will:
 - 1) Make available to the public a proposed Opinion and Order containing the text of the rules;
 - 2) Publish the proposed regulations in the Illinois Register;
 - 3) Serve a copy of the proposed Opinion and Order on the USEPA; and
 - 4) Receive written comments from the USEPA and other persons for at least 45 days after the date of publication in the Illinois Register.
- b) AFTER CONSIDERATION OF COMMENTS FROM THE USEPA, THE AGENCY, THE ATTORNEY GENERAL AND THE PUBLIC, THE BOARD SHALL ADOPT THE VERBATIM TEXT OF SUCH USEPA REGULATIONS AS ARE NECESSARY AND APPROPRIATE FOR AUTHORIZATION OF THE PROGRAM. EXCEPT AS PROVIDED IN SECTION 7.2 OF THE ACT, THE ONLY CHANGES THAT MAY BE MADE BY THE BOARD TO THE FEDERAL REGULATIONS ARE THOSE CHANGES THAT ARE NECESSARY FOR COMPLIANCE WITH THE ILLINOIS ADMINISTRATIVE CODE, AND TECHNICAL CHANGES THAT IN NO WAY CHANGE THE SCOPE OR MEANING OF ANY PORTION OF THE

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

REGULATIONS. (Section 7.2(a) of the Act.)

Section 102.346 Adoption Of Emergency Regulations

- a) WHEN THE BOARD FINDS THAT A SITUATION EXISTS WHICH REASONABLY CONSTITUTES A THREAT TO THE PUBLIC INTEREST, SAFETY, OR WELFARE, THE BOARD MAY ADOPT REGULATIONS IN ACCORDANCE WITH SECTION 5.02 OF THE APA. (Section 27(c) of the Act.)
- b) WHEN THE BOARD FINDS THAT A SEVERE PUBLIC HEALTH EMERGENCY EXISTS, THE BOARD MAY, IN RELATION TO ANY PROPOSED REGULATION, ORDER THAT SUCH REGULATION TAKE EFFECT WITHOUT DELAY. THE BOARD SHALL PROCEED WITH ANY REQUIRED HEARINGS WHILE THE REGULATION CONTINUES IN EFFECT. (Section 27(c) of the Act.)
- Section 102.347 Adoption Of Peremptory Regulations
- a) WHEN THE BOARD FINDS THAT A PEREMPTORY RULEMAKING IS NECESSARY AND STATES IN WRITING ITS REASONS FOR THAT FINDING, THE BOARD MAY ADOPT PEREMPTORY RULEMAKING UPON FILING A NOTICE OF RULEMAKING WITH THE SECRETARY OF STATE PURSUANT TO SECTION 6.01 OF THE APA.
- b) NOTICE OF SUCH PEREMPTORY RULEMAKING WILL BE PUBLISHED IN THE ILLINOIS REGISTER. (Section 5.03 of the APA.)

Section 102.348 Adoption Of Temporary Regulations

- a) THE BOARD MAY ADOPT A PROPOSED REGULATION PRIOR TO ITS CONSIDERATION OF AN ECONOMIC IMPACT STUDY WHEN SUCH STUDY IS FILED WITH THE BOARD LESS THAN 120 DAYS IN ADVANCE OF A DATE ON WHICH A TEMPORARY NON-EMERGENCY REGULATION OR PROVISION THEREOF WOULD LAPSE PRIOR TO ADOPTION OF A PERMANENT REGULATION OR PROVISION THEREOF ON THE SAME SUBJECT, OR LESS THAN 120 DAYS IN ADVANCE OF A DEADLINE FOR ADOPTION OF THE REGULATION WHICH IS ESTABLISHED IN A STATE STATUTE. (Section 27 of the Act.)
- b) SUCH ADOPTED REGULATION SHALL BE EFFECTIVE UNTIL 180 DAYS AFTER THE ECONOMIC IMPACT STUDY REQUIRED PURSUANT TO THIS SECTION IS FILED WITH THE BOARD, AND IN NO EVENT SHALL A REGULATION ADOPTED PURSUANT TO THIS PROCEDURE STAY IN EFFECT FOR MORE THAN ONE YEAR. (Section 27 of the Act.)

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED RULES

SUBPART N: MOTIONS FOR RECONSIDERATION AND APPEAL

Section 102.360 Filing Of Motion For Reconsideration

Motion for reconsideration or modification of any Board order taking substantive action on a regulatory proposal shall be filed in accordance with 35 Ill. Adm. Code 101.246. The contents of such motions are governed by 35 Ill. Adm. Code 101.242.

Section 102.361 Disposition Of Motions For Reconsideration

- a) AFTER COMMENCEMENT OF THE SECOND NOTICE PERIOD, NO SUBSTANTIVE CHANGES MAY BE MADE TO A PROPOSED RULEMAKING UNLESS IT IS MADE IN RESPONSE TO AN OBJECTION OR SUGGESTION OF JCAR. (Section 5.01(b) of the APA.) Therefore, submission of second notice of a proposal to JCAR will preclude the Board from revising that proposal in response to a motion for reconsideration. However, the Board may resubmit a rule for first notice if necessary to prevent material prejudice.
- b) An adopted rule becomes effective upon the filing of that rule with the Secretary of State. Therefore, the Board is precluded from allowing a motion for reconsideration of a final order adopting a rule, if that rule has been filed with the Secretary of State.

Section 102.362 Correction Of Publication Errors

The Board may make technical corrections to proposed or adopted rules, published in the Illinois Register or filed with the Secretary of State, only in accordance with 1 Ill. Adm. Code 100.240. No hearing need be held on such corrections.

Section 102.363 Appeal

Any final Board order may be appealed to the appellate court within 35 days of the entry of that order, pursuant to Sections 29 and 41 of the Act.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEALER

- 1) The Heading of the Part: Regulatory and Other Nonadjudicative Headings and Proceedings

- 2) Code Citation: 35 Ill. Adm. Code 102

- 3) Section Number:
- | | |
|---------|-------------------------|
| 102.101 | <u>Proposed Action:</u> |
| 102.102 | Repeal |
| 102.120 | Repeal |
| 102.121 | Repeal |
| 102.122 | Repeal |
| 102.123 | Repeal |
| 102.124 | Repeal |
| 102.140 | Repeal |
| 102.160 | Repeal |
| 102.161 | Repeal |
| 102.162 | Repeal |
| 102.163 | Repeal |
| 102.164 | Repeal |
| 102.180 | Repeal |
| 102.181 | Repeal |
| 102.200 | Repeal |
| 102.201 | Repeal |
| 102.202 | Repeal |
| 102.220 | Repeal |
- Appendix A

- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 111½, par. 1026.

- 5) A Complete Description of the Subjects and Issues Involved:
In response to legislative action, and in order to update its regulations, the Board is revising its procedural rules. This docket (R88-5(B)) includes new proposed rules for regulatory proceedings. As a practical matter, the most efficient way to propose the new rules is to repeal the existing Part and propose a new Part. Please note that the Part numbers and subject matter remain the same. This notice proposes repeal of Part 102, which contains rules for regulatory proceedings. The Board will propose new rules pertaining to regulatory proceedings which will also be found at Part 102.

- 6) Will this proposed rule replace an emergency rule currently in effect? No.

- 7) Does this rulemaking contain an automatic repeal date?

Yes ☒ No ☐

If "yes," please specify the date: _____

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEALER

If "yes," please specify the date: _____

- 8) Does this proposed amendment contain incorporations by reference? No.

- 9) Are there any other amendments pending on this Part? No.

<u>Section Number</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
-----------------------	------------------------	-----------------------------------

- 10) Statement of Statewide Policy Objective (if applicable):

As stated above, the proposed repealer seeks only to remove the existing rules in Part 102. The Board will propose new rules for regulatory proceedings rules, also numbered Part 102. Therefore, local units of government are not affected by the proposed repealer.

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking:

The Board will accept written public comment on this proposal for a period of 45 days after the date of this publication. Comments should refer to Docket R88-5(B) and be addressed to Ms. Dorothy M. Gunn, Clerk, Illinois Pollution Control Board, 100 West Randolph Street, Suite 11-500, Chicago, Illinois 60601.

- 12) Initial Regulatory Flexibility Analysis (if applicable):

The proposed repealer seeks only to remove the existing rules in Part 102 so that the Board's new proposed rules governing regulatory proceedings may be placed in Part 102. Therefore, small businesses are not affected.

- A) Date rule submitted to Small Business Office:

September 6, 1989.

- B) Types of small businesses affected:

- C) Reporting, bookkeeping for compliance:

- D) Professional skills necessary for compliance:

The full text of the Proposed Repealer begins on the next page:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEALER

TITLE 35: ENVIRONMENTAL PROTECTION
 SUBTITLE A: GENERAL PROVISIONS
 CHAPTER I: POLLUTION CONTROL BOARD

PART 102

REGULATORY AND OTHER NONADJUDICATIVE
 HEARINGS AND PROCEEDINGS

SUBPART A: GENERAL PROVISIONS

Section
 102.101
 102.102

Applicability
 Adoption of Regulations

SUBPART B: PROPOSAL OF REGULATIONS

Section
 102.120
 102.121
 102.122
 102.123
 102.124

Proposal of Regulations
 Authorization of Hearing
 Notice of Hearing
 Proposal of RCRA Amendments
 Notice of Site-Specific RCRA Proposals

SUBPART C: DISCOVERY

Section
 102.140

Discovery

SUBPART D: HEARINGS

Section
 102.160
 102.161
 102.162
 102.163
 102.164

Authority of Hearing Officer
 Examination of Witnesses
 Prior Submissions
 Written Submissions
 Record

SUBPART E: ECONOMIC IMPACT HEARINGS

Section
 102.180
 102.181

Hearings on the Economic Impact Study of New Proposals
 Hearings on the Economic Impact Study of Existing Regulations

SUBPART F: BOARD ACTION

Section
 102.200

Revision of Proposed Regulations

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEALER

102.201 Notice of Adopted Regulations
 102.202 Adoption of RCRA Amendments

SUBPART G: OTHER PROCEEDINGS

Section
 102.200

Other Proceedings

APPENDIX Old Rule Numbers Referenced

AUTHORITY: Implementing Sections 5, 22.4(a), 27 and 28 of the Environmental Protection Act (Ill. Rev. Stat. 1985, ch. 111, pars. 1005, 1022.4(a), 1027 and 1028) and Section 4 of "An Act in relation to natural resources, research, data collection and environmental studies" (Ill. Rev. Stat. 1985, ch. 96, par. 7404) and authorized by Section 26 of the Environmental Protection Act (Ill. Rev. Stat. 1985, ch. 111, par. 1026).

SOURCE: Originally adopted as Chapter 1: Procedural Rules, Part II: Regulatory and Other Nonadjudicative Hearings and Proceedings, in R70-4, 1 PCB 43, October 8, 1970; codified at 6 Ill. Reg. 8357; amended in R84-10 at 9 Ill. Reg. 1398, effective January 16, 1985; repealed in R88-5 at ____ Ill. Reg. _____, effective ____.

NOTE: Capitalization denotes statutory language.

SUBPART A: GENERAL PROVISIONS

Section 102.101

Applicability

This Part shall apply to all regulatory and other nonadjudicative hearings and procedures. Hearings conducted pursuant to this Part shall be deemed in the nature of legislative hearings. Unless the contrary is clearly indicated, all references to "Parts" or "Sections" are to Illinois Administrative Code, Title 35: Environmental Protection. For example, "Part 309" is 35 Ill. Adm. Code 309, and "Section 309.101" is 35 Ill. Adm. Code 309.101.

Section 102.102 Adoption of Regulations

- a) No substantive regulation shall be adopted, amended or repealed by the Board until after a public hearing within the area of the state concerned and in the case

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEALER

of state-wide regulations, until public hearings are held in at least two areas of the state.

- b) In adopting any such new regulation, the Board shall consider those elements detailed in the economic impact study of such regulation and the Board shall, in its written opinion, make a determination, based upon the economic impact study and other evidence in the public hearing record, as to whether the proposed regulation has any adverse economic impact on the people of the State of Illinois. When the Board finds that a severe public health emergency is involved in relation to any proposed regulation, the Board may provide that such regulation shall take effect without delay and permit the Board to proceed with the required economic impact hearings while the regulation continues in effect.

SUBPART B: PROPOSAL OF REGULATIONS

Section 102.120 Proposal of Regulations

Any person may submit a regulatory proposal for the adoption, amendment, or repeal of a substantive regulation. Ten (10) copies of each proposal shall be filed with the Clerk. Each proposal shall include:

- a) The language of the proposed regulation or amendment; and
- b) A statement of the reasons supporting the proposal including a short and plain statement of facts known to the proponent which support the proposal, and a short and plain statement of the purpose and effect of the proposal. The applicable factors as listed in Section 27 of the Environmental Protection Act (Act) shall be discussed in regard to the proposal. Where the proposal covers more than one substantive point, the supporting statement shall include statements in support of each point.

Section 102.121 Authorization of Hearing

- a) If the proposal is made by the Agency, the Institute, or a Board Member, or if it is accompanied by a petition signed by at least 200 persons with home address specified, the Clerk shall assign a docket number to the proposal and distribute copies to each Board Member. If the proposal is not made by the Agency or the Institute the Chairman shall place the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEALER

matter on the agenda for Board decision whether or not to authorize a hearing. The Board shall authorize a hearing unless it determines that the proposal is plainly devoid of merit, or deals with a subject on which a hearing has been held within the preceding six months or is not accompanied by an adequate statement of supporting reasons. If the Board rules against a hearing, it shall enter an order setting forth its reasons for so ordering and shall notify the proponent of its decision. The Board may hold a hearing on any proposal that does not meet the requirements of this section.

- b) If the proposal is made by the Agency, the Institute, or a Board Member, or if the Board authorizes a hearing, the Chairman shall designate an attending Board Member, and shall notify the proponent of such designation. A member of the Board may serve as Hearing Officer if otherwise qualified, and such hearing need not be attended by another member of the Board.
- c) In the case of a proposed regulatory change under the provisions of 35 Ill. Adm. Code 302.211(j) or 304.141(c), the requirement of Section 102.121(a) relating to a requirement of 200 signatures shall not apply; in such case only a single hearing shall be required, to be held in the area to be affected.
- d) The Clerk shall forward a copy of all proposed regulations authorized for hearing to the Institute and, if not proposed by the Agency, a copy to the Agency.
- e) The Board may consolidate two or more proposals for the purpose of hearings and decision.

Section 102.122 Notice of Hearing

- a) The Hearing Officer, after appropriate consultation with the proponent, shall set a time and place for hearing which shall be within a reasonable time after the date on which the proposal was received by the Clerk. The Clerk shall give notice at least 20 days prior to of the date of the hearing as follows:
 - 1) To the proponent, by mail;
 - 2) To all persons on the Board's mailing list through

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEALER

notice in the Board's Environmental Register or by special mailing; and

- 3) By public advertisement in a newspaper of general circulation in the area of the state affected;
- b) The Board shall make available to any person copies of proposed regulations and supporting statements at the time the hearing date is announced.
- c) Hearings which are continued on the hearing record do not require notice that complies with subsection (a).

Section 102.123 Proposal of RCRA Amendments

- a) As used in this Part, "RCRA rules" shall mean 35 Ill. Adm. Code 703, 720, 721, 722, 723, 724 and 725.
- b) Any proposal to amend the RCRA rules shall:

- 1) Indicate whether it is made pursuant to the provisions of Section 22.4(a), 22.4(b) or 22.4(c) of the Act;
- 2) Include a listing of all amendments to the corresponding Federal regulations since the last amendment of the Board's RCRA rules;
- 3) Include a certificate of service indicating that a copy of the proposal has been served on the United States Environmental Protection Agency. Service shall be made at the following address:

Director, Waste Management Division
USEPA, Region V
230 South Dearborn Street
Chicago, Illinois 60604

Section 102.124 Notice of Site-Specific RCRA Proposals

- a) Public notice of hearings on site-specific RCRA proposals shall be given at least 30 days before the date of the hearing.
- b) In addition to the requirements of Section 28 of the Act and Section 102.122, the Board, at a minimum, will give notice of hearings on a site-specific RCRA proposal to the following persons:

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEALER

- 1) Federal agencies as designated by the United States Environmental Protection Agency;
- 2) Illinois Department of Transportation;
- 3) Illinois Department of Conservation;
- 4) Illinois Department of Energy and Natural Resources
- 5) Illinois Department of Public Health;
- 6) The Governor or any other State adjacent to the County in which the facility is located;
- 7) Elected officials of any counties, in other states, adjacent to the county in which the facility is located, and elected officials in any municipality, in another state, if it is the closest population center to the facility.

- c) In addition to the methods of notice by publication of Section 28 of the Act and Section 102.122, the Board will give notice by broadcast over at least one radio station in the area of the facility containing the information required by paragraphs (d)(2) and (d)(4) through (d)(8).
- d) A hearing notice on a site-specific RCRA proposal will include the following information:

- 1) The address of the Board office;
- 2) Name and address of the proponent and, if different, of the facility for which the site-specific rule is sought;
- 3) A brief description of the business conducted at the facility and the activity described in the petition;
- 4) A description of the relief requested in the petition;
- 5) Name, address and telephone number of the Clerk of the Board, from whom interested persons may obtain further information, including copies of the proposal; and
- 6) The name, address and telephone number of the

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEALER

Agency's representative in the rulemaking;

- 7) A description of any written comment period or a statement that a comment period will be established in the future;
- 8) A statement that the record in the rulemaking is available at the Board office for inspection, except those portions which are claimed or determined to be trade secrets, and that procedures are available whereby disclosure may be sought by the public pursuant to 35 Ill. Adm. Code 120.
- 9) A statement that site-specific rules may be adopted pursuant to Ill. Rev. Stat. 1985, ch. 111½, pars. 1027 et seq. and 35 Ill. Adm. Code 102, and a reference to the Board regulations sought to be modified.
- 10) Any additional information considered necessary or proper.

SUBPART C: DISCOVERY

Section 102.140 Discovery

The Board or the Hearing Officer on behalf of the Board may issue subpoenas for attendance of a witness at a hearing under this Part. Subpoenas may include a command to produce books, papers, documents, or tangible things designated therein and reasonably necessary to resolution of the matter under consideration. Subpoenas shall conform to the requirements of Section 103.163(b) and (c).

SUBPART D: HEARINGS

Section 102.160 Authority of Hearing Officer

The Hearing Officer shall have the duty to conduct a fair hearing, to take all necessary action to avoid delay, to maintain order, and to ensure development of a clear and complete record. He shall have all powers necessary to these ends including (but not limited to) the authority to:

- a) Require prior submission of expert testimony and written exhibits before hearing;
- b) Require all parties to state their position with respect to the proposal;

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEALER

- c) Administer oaths and affirmations;
- d) Examine witnesses and direct witnesses to testify;
- e) Regulate the course of the hearing;
- f) Establish reasonable limits on the frequency and duration of the testimony of any witness and limit repetitious or cumulative testimony; and
- g) When so directed by the Board, to issue an order requiring the answering of interrogatories in the name of the Board.

Section 102.161 Examination of Witnesses

- a) Examination of witnesses by any member of the Board, by Board staff, by the Hearing Officer, by the proponent of the regulations under consideration, by representatives of the Agency, by the Institute, or by the Attorney General shall be permitted. Reasonable examination by any other person shall be permitted by the Hearing Officer. Repetitious examination may be limited by the Hearing Officer.

- b) All witnesses at hearings shall be sworn.

Section 102.162 Prior Submissions

When prior submission of written testimony is required or tendered, 10 copies shall be filed with the Clerk. Rebuttal testimony and exhibits may also be tendered in writing, not later than 14 days after the hearing on the direct testimony and exhibits. Notice of requirement for prior submission of written testimony and exhibits shall be given to all persons required to be notified by Section 102.122 not later than 21 days prior to the date that the testimony is to be given.

Section 102.163 Written Submissions

Any person may make a written submission on any proposal within 14 days of the close of the hearing or within 14 days after regulation revision under Section 102.200 by filing it with the Clerk and the parties, unless otherwise specified or limited by the Hearing Officer. The record will remain open for statements for 14 days following the close of the hearing, unless the Hearing Officer or Board directs otherwise.

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEALER

Section 102.164 Record

All testimony shall be recorded stenographically. When the transcript is filed with the Clerk, the Hearing Officer shall receive and rule on corrections from any person who may examine the transcript for accuracy. Failure of any witness to correct the transcript within 14 days after its receipt in Board offices shall constitute a waiver of any right to correct, unless undue prejudice results. The transcript as so approved, all written testimony, all exhibits offered in connection with the hearing, and all written submissions filed with the Clerk under Sections 102.163 and 102.200 before or after the close of the hearing shall constitute the record. The Clerk shall certify the record to the Board when it is complete.

SUBPART E: ECONOMIC IMPACT HEARINGS

Section 102.180 Hearings on the Economic Impact Study of New Proposals

- a) The Board, before the final adoption of any proposed regulations, or amendment to existing regulations, shall conduct hearings on the economic impact study on such proposals.
- b) The provisions of this Part shall govern all hearings held pursuant to this section.
- c) Hearings held pursuant to this section may be consolidated with any other hearings held pursuant to this Part.

Section 102.181 Hearings on the Economic Impact Study of Existing Regulations

- a) Within a reasonable time, but not longer than 120 days, after each economic impact study has been filed, the Board shall conduct public hearings throughout the State on such study.
- b) The provisions of this Part shall govern all hearings held pursuant to this section.
- c) Upon conclusion of the hearings, the Board shall publish its findings and conclusions on the areas covered by the study and the testimony received by the Board.
- d) The Board shall also specifically determine whether, as

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEALER

a result of its findings and conclusions, any regulations of the Board shall be modified or eliminated.

- e) If the Board concludes that modification or elimination may be necessary, it shall propose such modification as regulations and conduct further hearings on said modification.
- f) Any such proposed modifications shall not require any additional economic impact study.

SUBPART F: BOARD ACTION

Section 102.200 Revision of Proposed Regulations

- a) After a rulemaking hearing, the Board may revise the proposed regulations before adoption in response to suggestions made at the hearing and written submissions received subsequent thereto, without conducting a further hearing on the revisions. The Board shall specify the portions of the final form of the regulations that differ from the proposal on which the hearing was held, shall send such statement of revisions to persons heard on the original proposal, and shall give notice to all persons on the Board's mailing list that such a statement is available. Any person may make a written submission concerning any revision by filing it with the Clerk within 14 days after such notice. The Board, in its discretion and in response to the written comments submitted on the proposed final draft, may make further revision on the proposed regulation. Such final regulation may be adopted without further hearing or publication in the Environmental Register.

- b) The Board may modify and subsequently adopt any proposed regulations, or amendments to existing regulations without any additional economic impact study; provided that such modification by the Board does not significantly alter the intent and purpose of the proposed regulation which was the subject of the economic impact study.

Section 102.201 Notice of Adopted Regulations

Any person heard on the original proposal, who has submitted his name and address to the Clerk or is on the Board's mailing list, shall be given notice of the Board's final action. The Clerk shall file an affidavit of compliance with this section. The

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEALER

Board shall publish a written opinion stating its reasons supporting the regulations as adopted.

Section 102.202 Adoption of RCRA Amendments

The Board will adopt RCRA regulations pursuant to the applicable requirements of this Part, Title VII of the Act and the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1983 ch. 127, par. 1001 et seq.) Additionally, prior to adopting regulations, other than emergency amendments, the Board will:

- a) Make available to the public a proposed Opinion and Order containing the text of the amendments;
- b) Publish the proposal rule in the Illinois Register and the Environmental Register;
- c) Serve a copy of the proposed Opinion and Order on the United States Environmental Protection Agency;
- d) Receive written comments from the United States Environmental Protection Agency and other persons for at least 45 days after the date of publication in the Illinois Register.

SUBPART G: OTHER PROCEEDINGS

Section 102.220 Other Proceedings

The Board may conduct such other nonadjudicative or informational hearings as may be necessary to accomplish the purposes of the Act. Such other hearings shall be conducted according to these rules to the extent applicable.

APPENDIX A
OLD RULE NUMBERS REFERENCED

The following table is provided to aid in referencing old Board rule numbers to section numbers pursuant to codification.

Chapter 1: Procedural Rules	35 Ill. Adm. Code Parts 101-107
Part II: Regulatory and other Non-adjudicative hearings and Proceedings	Part 102: Regulatory and other Non- adjudicative hearings and Proceedings

POLLUTION CONTROL BOARD

NOTICE OF PROPOSED REPEALER

Rule 201
Rule 202
Rule 203
Rule 204
Rule 205
Rule 206
Rule 207
Rule 208
Rule 209
Rule 210
Rule 211
Rule 212
Rule 213
Rule 214
Rule 215
Rule 216

Section 102.101
Section 102.102
Section 102.120
Section 102.121
Section 102.122
Section 102.160
Section 102.140
Section 102.161
Section 102.162
Section 102.163
Section 102.164
Section 102.200
Section 102.201
Section 102.180
Section 102.181
Section 102.220

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: AID TO FAMILIES WITH DEPENDENT CHILDREN

2) Code Citation: 89 Ill. Adm. Code 112

3) Section Numbers: Proposed Action:

112.252 Amendment
112.253 Amendment
112.254 Amendment

4) Statutory Authority: Sections 4-2 and 12-4.11 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 4-2 and 12-4.11)

5) A Complete Description of the Subjects and Issues Involved: This rulemaking increases the Aid to Families With Dependent Children payment level by 7.5%, effective January 1, 1990. Interested parties should also see 89 Ill. Adm. Code 114, 115 and 120 in this issue of the Illinois Register.

6) Will these proposed amendments replace emergency amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? Yes ☐ No ☐

Section Numbers	Proposed Action	Illinois Register Citation
112.40	Amendment	February 17, 1989 (13 Ill. Reg. 1948)
112.81	Amendment	June 2, 1989 (13 Ill. Reg. 8246)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762, (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 112
AID TO FAMILIES WITH DEPENDENT CHILDREN

SUBPART A: GENERAL PROVISIONS

Section
112.1
112.5

Description of the Assistance Program
Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section
112.8
112.9
112.10
112.20
112.30
112.40
112.50
112.52
112.54
112.60
112.61
112.62
112.63
112.64

Caretaker Relative
Client Cooperation
Citizenship
Residence
Age
Relationship
Living Arrangement
Social Security Numbers
Assignment of Medical Support Rights
Lack of Parental Support or Care
Death of a Parent
Incapacity of a Parent
Continued Absence of a Parent
Unemployment of the Parent

SUBPART C: PROJECT CHANCE

112.70
112.71
112.72
112.73
112.74
112.76
112.77
112.78
112.79
112.80

Registration Requirements For Project Chance
Individuals Exempt From Project Chance
Project Chance Participation/Cooperation Requirements
Failure to Participate with the Work Incentive
Demonstration Program (Renumbered)
Project Chance Full Assessment Process/Development of an Employment Plan
Project Chance Orientation
Illinois Work Experience Program Evaluation Project (Renumbered)
Project Chance Components
Project Chance Sanctions
Good Cause for Failure to Comply with Project Chance Participation Requirements

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section
112.81
112.82
112.83
112.84
112.85

Good Cause For Failure to Cooperate With Support Enforcement (Recodified)
Project Chance Supportive Services
Employment Child Care
Work Experience Evaluation Project
Four Year College/Vocational Training Demonstration Project

SUBPART E: PROJECT ADVANCE

Section
112.86
112.87
112.88
112.89
112.90
112.91
112.93
112.95

Project Advance
Project Advance Experimental and Control Groups
Project Advance Participation Requirements of Experimental Group Members and Adjudicated Fathers
Project Advance Cooperation Requirements of Experimental Group Members and Adjudicated Fathers
Project Advance Sanctions
Good Cause for Failure to Comply with Project Advance
Individuals Exempt From Project Advance
Project Advance Supportive Services

SUBPART F: EXCHANGE PROGRAM

Section
112.98

Exchange Program

SUBPART G: FINANCIAL FACTORS OF ELIGIBILITY

Section
112.100
112.101
112.105
112.106
112.107
112.108
112.110
112.115
112.120
112.125
112.126
112.127
112.128
112.130
112.131
112.132

Unearned Income
Unearned Income of Stepparent, Parent or Legal Guardian
Budgeting Unearned Income
Budgeting Unearned Income of Applicants Employed On Date of Application And/Or Date Of Decision
Initial Receipt of Unearned Income
Termination of Unearned Income
Exempt Unearned Income
Education Benefits
Incentive Allowances
Unearned Income In-Kind
Earmarked Income
Lump Sum Payments
Protected Income
Earned Income
Earned Income Tax Credit
Budgeting Earned Income

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section
 112.133 Budgeting Earned Income of Applicants Employed On Date
 of Application And/Or Date Of Decision
 112.134 Initial Employment
 112.135 Budgeting Earned Income For Contractual Employees
 112.136 Budgeting Earned Income For Non-Contractual School
 Employees
 112.137 Termination of Employment
 112.140 Exempt Earned Income
 112.141 Earned Income Exemption
 112.142 Exclusion From Earned Income Exemption
 112.143 Recognized Employment Expenses
 112.144 Income From Work/Study/Training Program
 112.145 Earned Income From Self-Employment
 112.146 Earned Income From Roomer and Boarder
 112.147 Income From Rental Property
 112.148 Payments from the Illinois Department of Children and
 Family Services
 112.149 Earned Income In-Kind
 112.150 Assets
 112.151 Exempt Assets
 112.152 Asset Disregards
 112.153 Deferral of Consideration of Assets
 112.154 Property Transfers
 112.155 AFDC Income Limit

SUBPART H: PAYMENT AMOUNTS

Section
 112.250 Grant Levels
 112.251 Payment Levels in AFDC
 112.252 Payment Levels in AFDC Group I Counties
 112.253 Payment Levels in AFDC Group II Counties
 112.254 Payment Levels in AFDC Group III Counties

SUBPART I: OTHER PROVISIONS

Section
 112.300 Persons Who May Be Included in the Assistance Unit
 112.301 Presumptive Eligibility
 112.302 Monthly Reporting
 112.303 Retrospective Budgeting
 112.304 Budgeting Schedule
 112.305 Strikers
 112.306 Foster Care Program
 112.307 Responsibility of Sponsors of Aliens
 112.308 Special Needs Authorizations
 112.309 Institutional Status

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section
 112.315 Young Parent Program
 112.320 Redetermination of Eligibility
 112.330 Six Month Extension of Medical Assistance Due to
 Increased Income from Employment
 112.331 Four Month Extension of Medical Assistance Due to
 Child Support Collections
 112.332 Extension of Medical Assistance Due to Loss of Earned
 Income Disregard

AUTHORITY: Implementing Article IV and authorized by Section
 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987,
 ch. 23, pars. 4-1 et seq. and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory
 amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978;
 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5,
 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective
 August 30, 1978, for a maximum of 150 days; peremptory
 amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978;
 peremptory amendment at 2 Ill. Reg. 46, p. 56, effective
 November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41,
 effective April 9, 1979, for a maximum of 150 days; emergency
 amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979,
 for a maximum of 150 days; amended at 3 Ill. 33, p. 399,
 effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415,
 effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243,
 effective September 21, 1979, peremptory amendment at 3 Ill.
 Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill.
 Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill.
 Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill.
 Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill.
 Reg. 48, p. 1, effective November 15, 1979; peremptory
 amendment at 4 Ill. Reg. 9, p. 259, effective February 22,
 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25,
 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980;
 amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980;
 emergency amendment at 4 Ill. Reg. 29, p. 294, effective July
 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37,
 p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37,
 p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45,
 p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766,
 effective January 2, 1981; amended at 5 Ill. Reg. 1134,
 effective January 26, 1981; peremptory amendment at 5 Ill. Reg.
 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071,
 effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective
 June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27,
 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981;

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 11, 1983; rules repealed and new rules adopted and codified at 7 Ill. Reg. 2720, effective February 28, 1983; amended (by adding Sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 11284, effective August 26, 1983; amended at 7 Ill. Reg. 13920, effective October 7, 1983; amended at 7 Ill. Reg. 15690, effective November 9, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16105; amended at 7 Ill. Reg. 17344, effective December 21, 1983; amended at 8 Ill. Reg. 213, effective December 27, 1983; emergency amendment at 8 Ill. Reg. 569, effective January 1, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 4176, effective March 19, 1984; amended at 8 Ill. Reg. 5207, effective April 9, 1984; amended at 8 Ill. Reg. 7226, effective May 16, 1984; amended at 8 Ill. Reg. 11391, effective June 27, 1984; amended at 8 Ill. Reg. 12333, effective June 29, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17894; peremptory amendment at 8 Ill.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Reg. 18127, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 19889, effective October 1, 1984; amended at 8 Ill. Reg. 19983, effective October 3, 1984; emergency amendment at 8 Ill. Reg. 21666, effective October 19, 1984 for a maximum of 150 days; amended at 8 Ill. Reg. 21621, effective October 23, 1984; amended at 8 Ill. Reg. 25023, effective December 19, 1984; amended at 9 Ill. Reg. 282, effective January 1, 1985; amended at 9 Ill. Reg. 4062, effective March 15, 1985; amended at 9 Ill. Reg. 8155, effective May 17, 1985; emergency amendment at 9 Ill. Reg. 10094, effective June 19, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11317, effective July 5, 1985; amended at 9 Ill. Reg. 12795, effective August 9, 1985; amended at 9 Ill. Reg. 15887, effective October 4, 1985; amended at 9 Ill. Reg. 16277, effective October 11, 1985; emergency amendment at 10 Ill. Reg. 354, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 1172, effective January 10, 1986; amended at 10 Ill. Reg. 3641, effective January 30, 1986; amended at 10 Ill. Reg. 4885, effective March 7, 1986; amended at 10 Ill. Reg. 8118, effective May 1, 1986; amended at 10 Ill. Reg. 10628, effective June 1, 1986; amended at 10 Ill. Reg. 11017, effective June 6, 1986; Sections 112.78 through 112.86 and 112.88 recodified to 89 Ill. Adm. Code 160 at 10 Ill. Reg. 11928; emergency amendment at 10 Ill. Reg. 12107, effective July 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 12650, effective July 14, 1986; amended at 10 Ill. Reg. 14681, effective August 29, 1986; amended at 10 Ill. Reg. 15101, effective September 5, 1986; amended at 10 Ill. Reg. 15621, effective September 19, 1986; amended at 10 Ill. Reg. 21860, effective December 12, 1986; amended at 11 Ill. Reg. 2280, effective January 16, 1987; amended at 11 Ill. Reg. 3140, effective January 30, 1987; amended at 11 Ill. Reg. 4682, effective March 6, 1987; amended at 11 Ill. Reg. 5223, effective March 11, 1987; amended at 11 Ill. Reg. 6228, effective March 20, 1987; amended at 11 Ill. Reg. 9927, effective May 15, 1987; amended at 11 Ill. Reg. 12003, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 12432, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 12908, effective July 30, 1987; emergency amendment at 11 Ill. Reg. 12935, effective August 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 13625, effective August 1, 1987; amended at 11 Ill. Reg. 14755, effective August 26, 1987; amended at 11 Ill. Reg. 18679, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18781, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20114, effective December 4, 1987; Sections 112.90 and 112.95 recodified to Sections 112.52 and 112.54 at 11 Ill. Reg. 20610; amended at 11 Ill. Reg. 20889,

NOTICE OF PROPOSED AMENDMENTS

effective December 14, 1987; amended at 12 Ill. Reg. 844, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1929, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 2126, effective January 12, 1988; SUBPARTS C, D and E reclassified to SUBPARTS G, H and I at 12 Ill. Reg. 2136; amended at 12 Ill. Reg. 3487, effective January 22, 1988; amended at 12 Ill. Reg. 6159, effective March 18, 1988; amended at 12 Ill. Reg. 6694, effective March 22, 1988; amended at 12 Ill. Reg. 7336, effective May 1, 1988; amended at 12 Ill. Reg. 7673, effective April 20, 1988; amended at 12 Ill. Reg. 9032, effective May 20, 1988; amended at 12 Ill. Reg. 10481, effective June 13, 1988; amended at 12 Ill. Reg. 14172, effective August 30, 1988; amended at 12 Ill. Reg. 14669, effective September 16, 1988; amended at 13 Ill. Reg. 70, effective January 1, 1989; amended at 13 Ill. Reg. 6017, effective April 14, 1989; amended at 13 Ill. Reg. 8567, effective May 22, 1989; amended at 13 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 112.252 Payment Levels in AFDC Group I Counties

SIZE OF ASSISTANCE UNIT	CARETAKER RELATIVE(S) AND CHILD(REN)			
	CURRENT		GRAND-FATHERED	
	CURRENT	GRAND-FATHERED	CURRENT	GRAND-FATHERED
1	198	212	95	102
2	250	268	187	201
3	342	367	232	249
4	386	414	297	319
5	452	485	353	379
6	507	545	379	407
				417

NOTICE OF PROPOSED AMENDMENTS

Section 112.252 Payment Levels in AFDC Group I Counties (Cont'd)

SIZE OF ASSISTANCE UNIT	CARETAKER RELATIVE(S) AND CHILD(REN)			
	CURRENT		GRAND-FATHERED	
	CURRENT	GRAND-FATHERED	CURRENT	GRAND-FATHERED
7	534	574	408	438
8	562	604	437	469
9	591	635	468	503
10	623	669	501	538
11	656	705	536	576
12	690	741	572	614
13	727	781		735
14	765	822		
15	806	866		
16	848	911		
17	893	959		
18	940	1010		

- c) For family sizes greater than 18 or 12, the amount of the payment level shall be determined by adding \$45 \$50.00 or \$35 \$38.00 respectively for each person above 18 or 12.
- d) As the legislature has determined that payments under the AFDC program should contain amounts for the purpose of energy assistance, and has directed that such amounts be established by rule, the first \$18 of the AFDC Payment Level for Caretaker Relatives and Children has been designated as being for the purpose of energy assistance.
- e) For assistance units which contain both caretaker relatives and children and which contain seven-~~(7)~~ nine (9) or more persons, two payment levels are established - Current and Grandfathered. Likewise, for assistance units with children only and which contain five-~~(5)~~ eight (8) or more persons, two payment levels are established - Current and Grandfathered.
- 1) Grandfathered Payment Levels apply for families who are at that family size as of January 1, 1987. Those families will remain at that payment

NOTICE OF PROPOSED AMENDMENTS

Section 112.252 Payment Levels in AFDC Group I Counties (Cont'd)

Level until there is a change in family composition or the family goes off the assistance rolls. If such a family changes family composition (adds a member or loses a member), thereafter the Current Payment Level for the appropriate family size will be used. If such a family goes off assistance and then comes back on, the family will come back on the assistance rolls at the Current Payment Level for the appropriate family size. The Department will not withdraw "grandfathered" status if a change in family composition is rescinded or if an assistance unit is erroneously cancelled and then reinstated.

2) Current Payment Levels are the regular Payment Levels used by the Department and shall be used for all persons except those who meet the criteria of subsection (e)(1) above.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 112.253 Payments Levels in AFDC Group II Counties

a) The following Payment Levels are established for the AFDC Program in Group II Counties.

b) The counties included in AFDC Group II are:

Adams	Henry	Macoupin	Putnam
Bureau	Iroquois	Madison	Rock Island
Carroll	Jackson	McDonough	Sangamon
Clinton	JoDaviess	McLean	St. Clair
Coles	Knox	Mercer	Stephenson
DeWitt	LaSalle	Monroe	Tazewell
Douglas	Lee	Moultrie	Vermilion
Effingham	Livingston	Peoria	Wabash
Ford	Logan	Platt	Warren
Fulton	Macon		Will
Grundy			

NOTICE OF PROPOSED AMENDMENTS

Section 112.253 Payments Levels in AFDC Group II Counties (Cont'd)

Section 112.253 Payments Levels in AFDC Group II Counties (Cont'd)

SIZE OF ASSISTANCE UNIT	CARETAKER RELATIVE(S) AND CHILD(REN)	GRAND- FATHERED		CHILD(REN) ONLY
		CURRENT	FATHERED	
1	190	204	91	97
2	241	259	181	194
3	331	355	226	242
4	375	403	290	311
5	439	471	344	369
6	493	529	370	397
7	519	557	398	427
8	547	588	427	459
9	576	619	457	491
10	606	651	489	525
11	638	685	522	561
12	671	721	558	599
13	707	760		
14	744	799		
15	783	841		
16	825	886		
17	869	934		
18	914	982		

c) For family sizes greater than 18 or 12, the amount of the payment level shall be determined by adding \$45 \$48.00 or \$35 \$38.00 respectively for each person above 18 or 12.

d) As the legislature has determined that payments under the AFDC program should contain amounts for the purpose of energy assistance, and has directed that such amounts be established by rule, the first \$18 of the AFDC Payment Level for Caretaker Relatives and Children has been designated as being for the purpose of energy assistance.

e) For assistance units which contain both caretaker relatives and children and which contain seven-~~7~~ nine (9) or more persons, two payment levels are established - Current and Grandfathered. Likewise, for assistance units with children only and which

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 112.253 Payments Levels in AFDC Group II Counties
(Cont'd)

contain six (6) or more persons, two payment levels are established - Current and Grandfathered.

- 1) Grandfathered Payment Levels apply for families who are at that family size as of January 1, 1987. Those families will remain at that Payment Level until there is a change in family composition or the family goes off the assistance rolls. If such a family changes family composition (adds a member or loses a member), thereafter the Current Payment Level for the appropriate family size will be used. If such a family goes off assistance and then comes back on, the family will come back on the assistance rolls at the Current Payment Level for the appropriate family size. The Department will not withdraw "grandfathered" status if a change in family composition is rescinded or if an assistance unit is erroneously cancelled and then reinstated.

- 2) Current Payment Levels are the regular Payment Levels used by the Department and shall be used for all persons except those who meet the criteria of subsection (e)(1) above.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 112.254 Payment Levels in AFDC Group III Counties

- a) The following Payment Levels are established for the AFDC Program in Group III Counties.

- b) The counties included in Group III are:

Alexander	Fayette	Lawrence	Richland
Bond	Franklin	Marion	Saline
Brown	Gallatin	Marshall	Schuyler
Calhoun	Greene	Mason	Scott
Cass	Hamilton	Massac	Shelby
Christian	Hancock	Menard	Stark
Clark	Hardin	Montgomery	Union
Clay	Henderson	Perry	Washington
Crawford	Jasper	Pike	Wayne

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 112.254 Payment Levels in AFDC Group III Counties
(Cont'd)

Cumberland	Jefferson	Pope	White
Edgar	Jersey	Pulaski	Williamson
Edwards	Johnson	Randolph	

SIZE OF ASSISTANCE UNIT	CARETAKER RELATIVE(S) AND CHILD(REN)	CHILD(REN) ONLY	
		CURRENT	GRAND-FATHERED
1	161 173	88 94	
2	230 247	175 188	
3	316 339	221 237	
4	362 389	281 302	
5	422 453	334 359	
6	476 511	360 387	384
7	501 538	386 414	445
8	527 566	414 445	480
9	556 597	444 477	532
10	585 628	475 510	580
11	616 662	507 545	634
12	648 696	541 581	689
13	682 733	791	
14	718 771	843	
15	756 812	899	
16	796 855	951	
17	838 900	1005	
18	882 948	1058	

- c) For family sizes greater than 18 or 12, the amount of the payment level shall be determined by adding \$45 \$48.00 or \$35 \$36.00 respectively for each person above 18 or 12.

- d) As the legislature has determined that payments under the AFDC program should contain amounts for the purpose of energy assistance, and has directed that such amounts be established by rule, the first \$18 of the AFDC Payment Level for Caretaker Relatives and Children has been designated as being for the purpose of energy assistance.

- e) For an assistance unit which contains both caretaker relative(s) and children and which contains nine or

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 112.254

Payment Levels in AFDC Group III Counties
(Cont'd)

more of eleven (11) persons, two payment levels are established - Current and Grandfathered. Likewise for assistance-units-with-children-only-and-which contain six-(6)-or-more-persons-or-two-payment-levels are-established---Current-and-Grandfathered.

- 1) Grandfathered Payment Levels apply for families who are at that family size as of January 1, 1987. Those families will remain at that Payment Level until there is a change in family composition or the family goes off the assistance rolls. If such a family changes family composition (adds a member or loses a member), thereafter the Current Payment Level for the appropriate family size will be used. If such a family goes off assistance and then comes back on, the family will come back on the assistance rolls at the Current Payment Level for the appropriate family size. The Department will not withdraw "grandfathered" status if a change in family composition is rescinded or if an assistance unit is erroneously cancelled and then reinstated.

- 2) Current Payment Levels are the regular Payment Levels used by the Department shall be used for all persons except those who meet the criteria of subsection (e)(1) above.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

- 1) The Heading of the Part: FOOD STAMPS

- 2) Code Citation: 89 Ill. Adm. Code 121

- 3) Section Number: Proposed Action:
121.50 Amendment

- 4) Statutory Authority: Sections 12-4.4 thru 12-4.6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-4.4 thru 12-4.6 and 12-13)

- 5) A Complete Description of the Subjects and Issues Involved: Pursuant to Section 402 of the Hunger Prevention Act (P.L. 100-435), this rulemaking excludes advance payments of the Earned Income Tax Credit from consideration in determining an individual's eligibility for Food Stamps.

- 6) Will this proposed amendment replace an emergency amendment currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date?
____ Yes ____ X No

- 8) Does this proposed amendment contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
121.19	Amendment	August 25, 1989 (13 Ill. Reg. 13503)
121.27	Amendment	August 25, 1989 (13 Ill. Reg. 13503)
121.31	Amendment	August 25, 1989 (13 Ill. Reg. 13503)
121.70	Amendment	August 25, 1989 (13 Ill. Reg. 13503)
121.72	Amendment	August 25, 1989 (13 Ill. Reg. 13503)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jessie B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762, (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment begins on the next page:

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 121
FOOD STAMPS

SUBPART A: APPLICATION PROCEDURES

Section

- 121.1 Application for Assistance
- 121.2 Time Limitations on the Disposition of an Application
- 121.3 Approval of an Application and Initial Authorization of Assistance
- 121.4 Denial of an Application
- 121.5 Client Cooperation
- 121.6 Emergency Assistance
- 121.7 Expedited Services

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section

- 121.19 Ending a Voluntary Quit Disqualification
- 121.20 Citizenship
- 121.21 Residence
- 121.22 Social Security Numbers
- 121.23 Work Registration/Participation Requirements
- 121.24 Individuals Exempt From Work Registration Requirements
- 121.25 Failure to Comply
- 121.26 Period of Disqualification
- 121.27 Voluntary Job Quit
- 121.28 Good Cause for Voluntary Job Quit
- 121.29 Exemptions from Voluntary Quit Rule

SUBPART C: FINANCIAL FACTORS OF ELIGIBILITY

Section

- 121.30 Unearned Income
- 121.31 Exempt Unearned Income
- 121.32 Education Benefits
- 121.33 Unearned Income In-Kind
- 121.34 Lump Sum Payments and Income Tax Refunds
- 121.40 Earned Income
- 121.41 Budgeting Earned Income
- 121.50 Exempt Earned Income
- 121.51 Income from Work/Study/Training Programs
- 121.52 Earned Income from Roomer and Boarder
- 121.53 Income From Rental Property

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section

121.54 Earned Income In-Kind
121.55 Sponsors of Aliens
121.57 Assets
121.58 Exempt Assets
121.59 Asset Disregards

SUBPART D: ELIGIBILITY STANDARDS

Section

121.60 Net Monthly Income Eligibility Standards
121.61 Gross Monthly Income Eligibility Standards
121.62 Income Which Must Be Annualized
121.63 Deductions From Monthly Income
121.64 Coupon Allotment

SUBPART E: HOUSEHOLD CONCEPT

Section

121.70 Persons Who May Be Included in the Assistance Unit
121.71 Living Arrangement
121.72 Nonhousehold Members
121.73 Ineligible Household Members
121.74 Strikers
121.75 Students

SUBPART F: MISCELLANEOUS PROGRAM PROVISIONS

Section

121.80 Fraud Disqualification (Renumbered)
121.81 Initiation of Administrative Fraud Hearing (Repealed)
121.82 Definition of Fraud (Renumbered)
121.83 Notification To Applicant Households (Renumbered)
121.84 Disqualification Upon Finding of Fraud (Renumbered)
121.85 Court Imposed Disqualification (Renumbered)
121.90 Monthly Reporting and Retrospective Budgeting
121.91 Monthly Reporting
121.92 Retrospective Budgeting
121.93 Direct Mail Issuance of Food Stamp Coupons
121.94 Replacement of Food Stamp Coupons or ATP Documents
121.95 Restoration of Lost Benefits
121.96 Uses For Food Coupons
121.97 Supplemental Payments
121.98 Food Stamp Simplified Application Demonstration Project (Repealed)
121.120 Recertification of Eligibility
121.130 Residents of Shelters for Battered Women and their Children

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section

121.135 Incorporation By Reference
121.140 Small Group Living Arrangement Facilities and Drug/Alcoholic Treatment Centers

SUBPART G: INTENTIONAL VIOLATIONS OF THE PROGRAM

Section

121.150 Definition of Intentional Violations of the Program
121.151 Penalties for Intentional Violations of the Program
121.152 Notification To Applicant Households
121.153 Disqualification Upon Finding of Intentional Violation of the Program
121.154 Court Imposed Disqualification

SUBPART H: CLAIMS FOR OVERISSUANCES OF FOOD STAMP BENEFITS

Section

121.200 Types of Claims (Recodified)
121.201 Establishing a Claim for Intentional Violation of the Program (Recodified)
121.202 Establishing a Claim for Unintentional Household Errors and Administrative Errors (Recodified)
121.203 Collecting Claim Against Households (Recodified)
121.204 Failure to Respond to Initial Demand Letter (Recodified)

121.205 Methods of Repayment of Food Stamp Claims (Recodified)
121.206 Determination of Monthly Allotment Reductions (Recodified)

121.207 Failure to Make Payment in Accordance with Repayment Schedule (Recodified)

121.208 Suspension and Termination of Claims (Recodified)

AUTHORITY: Implementing Sections 12-4.4 through 12-4.6 and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 12-4.4 through 12-4.6 and 12-3).

SOURCE: Adopted December 30, 1977; amended at 3 Ill. Reg. 5, p. 875 effective February 2, 1979; amended at 3 Ill. Reg. 31, p. 109, effective August 3, 1979; amended at 3 Ill. Reg. 33, p. 399 effective August 18, 1979; amended at 3 Ill. Reg. 41, p. 165, effective October 11, 1979; amended at 3 Ill. Reg. 42, p. 230, effective October 9, 1979; amended at 3 Ill. Reg. 44, p. 173, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1; effective November 15, 1979; peremptory amendment at 4 Ill.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Reg. 3, p. 49, effective January 9, 1980; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 23, 1980; amended at 4 Ill. Reg. 10, p. 253, effective February 27, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; emergency amended at 4 Ill. Reg. 29, p. 294, effective July 8, 1980 for maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 17, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1131, effective January 16, 1981; amended at 5 Ill. Reg. 4586, effective April 15, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; peremptory amendment at 10062, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 12736, effective October 29, 1981; amended at 6 Ill. Reg. 1653, effective January 17, 1982; amended at 6 Ill. Reg. 2707, effective March 2, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10208, effective August 9, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 5715, effective May 1, 1983; amended at 7 Ill. Reg. 8118, effective June 24, 1983; peremptory amendment at 7 Ill. Reg. 12899, effective October 1, 1983; amended at 7 Ill. Reg. 13655, effective October 4, 1983, peremptory amendment at 7 Ill. Reg. 16067, effective November 22, 1983; amended at 7 Ill. Reg. 16169, effective November 22, 1983; amended at 8 Ill. Reg. 5673, effective April 18, 1984; amended at 8 Ill. Reg. 7249, effective May 16, 1984; peremptory amendment at 8 Ill. Reg. 10086, effective July 1, 1984; amended at 8 Ill. Reg. 13284, effective July 16, 1984; amended at 8 Ill. Reg. 17900, effective September 14, 1984; amended (by adding section being codified with no substantive change) at 8 Ill. Reg. 17898; peremptory amendment at 8 Ill. Reg. 19690, effective October 1, 1984; peremptory amendment at 8 Ill. Reg. 22145, effective November 1, 1984; amended at 9 Ill. Reg. 302, effective January 1, 1985; amended at 9 Ill. Reg. 6804, effective May 1, 1985; amended at 9 Ill. Reg. 8665, effective May 29, 1985; peremptory amendment at 9 Ill. Reg. 8898, effective July 1, 1985; amended at 9 Ill. Reg. 11334, effective July 8, 1985; amended at 9 Ill. Reg. 14334, effective September 6, 1985; peremptory amendment at 9 Ill. Reg. 15582, effective October 1, 1985; amended at 9 Ill. Reg. 16889, effective October 16, 1985; amended at 9 Ill. Reg. 19726, effective December 9, 1985; amended at 10 Ill. Reg. 229, effective December 20, 1985; peremptory amendment at 10 Ill. Reg. 7387,

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

effective April 21, 1986; peremptory amendment at 10 Ill. Reg. 7941, effective May 1, 1986; amended at 10 Ill. Reg. 14692, effective August 29, 1986; peremptory amendment at 10 Ill. Reg. 15714, effective October 1, 1986; Sections 121.200 thru 121.208 recodified to 89 Ill. Adm. Code 165 at 10 Ill. Reg. 21094; peremptory amendment at 11 Ill. Reg. 3761, effective February 11, 1987; emergency amendment at 11 Ill. Reg. 3754, effective February 13, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 9968, effective May 15, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 10269, effective May 22, 1987; amended at 11 Ill. Reg. 10621, effective May 25, 1987; peremptory amendment at 11 Ill. Reg. 11391, effective July 1, 1987; peremptory amendment at 11 Ill. Reg. 11855, effective June 30, 1987; emergency amendment at 11 Ill. Reg. 12043, effective July 6, 1987; amended at 11 Ill. Reg. 13635, effective August 1, 1987; amended at 11 Ill. Reg. 14022, effective August 10, 1987; emergency amendment at 11 Ill. Reg. 15261, effective September 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 15480, effective September 4, 1987; amended at 11 Ill. Reg. 15634, effective September 11, 1987; amended at 11 Ill. Reg. 18218, effective October 30, 1987; peremptory amendment at 11 Ill. Reg. 18374, effective October 30, 1987; amended at 12 Ill. Reg. 877, effective December 30, 1987; emergency amendment at 12 Ill. Reg. 1941, effective December 31, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 4204, effective February 5, 1988; amended at 12 Ill. Reg. 9678, effective May 23, 1988; amended at 12 Ill. Reg. 9922, effective June 1, 1988; amended at 12 Ill. Reg. 11463, effective June 30, 1988; amended at 12 Ill. Reg. 12824, effective July 22, 1988; emergency amendment at 12 Ill. Reg. 14045, effective August 19, 1988, for a maximum of 150 days; peremptory amendment at 12 Ill. Reg. 15704, effective October 1, 1988; peremptory amendment at 12 Ill. Reg. 16271, effective October 1, 1988; amended at 12 Ill. Reg. 20161, effective November 30, 1988; amended at 13 Ill. Reg. 3890, effective March 10, 1989; amended at 13 Ill. Reg. 13619, effective August 14, 1989; amended at 13 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 121.50 Exempt Earned Income

- a) The earned income of a child residing in the household who is under 18 years of age and who is attending at least half time (as defined by the institution) a kindergarten or pre-school, a grade school, high school, vocational school, technical school, training

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section 121.50 Exempt Earned Income (Cont'd)

program, college or university shall be exempt. The exemption of this income shall not be altered by temporary interruptions in school attendance such as semester or summer vacations, provided the child's enrollment will resume following the break.

- b) This exemption shall not apply to any training allowances or educational grants received by the child.
- c) This exemption shall not apply if the student is an emancipated minor or living alone.
- d) Earnings from employment through the Jobs Training Partnership Act if the individual is under age nineteen (19) and under the parental control of another adult household member. "Parental control" refers to an adult who has responsibility for the well-being, care and maintenance of a child.
- e) Advance payments of the Earned Income Tax Credit.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

1) The Heading of the Part: GENERAL ASSISTANCE

2) Code Citation: 89 Ill. Adm. Code 114

3) Section Numbers: Proposed Action:

114.351 Amendment
114.352 Amendment
114.353 Amendment

4) Statutory Authority: Sections 6-2 and 12-4.11 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 6-2 and 12-4.11)

5) A Complete Description of the Subjects and Issues Involved: This rulemaking increases the General Assistance payment levels by 7.5%, effective January 1, 1990. Interested parties should also see 89 Ill. Adm. Code 112, 115 and 120 in this issue of the Illinois Register.

6) Will these proposed amendment replace emergency amendments currently in effect? No

7) Does this rulemaking contain an automatic repeal date?
Yes ☒ No ☐

8) Do these proposed amendments contain incorporations by reference? No

9) Are there any other proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
114.220	Amendment	April 21, 1989 (13 Ill. Reg. 5456)
114.240	Repealed	April 21, 1989 (13 Ill. Reg. 5456)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762, (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

- 12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendments begins on the next page:

Section
114.1
114.5

SUBPART A: GENERAL PROVISIONS

Description of the Assistance Program
Incorporation By Reference

SUBPART B: NON-FINANCIAL FACTORS OF ELIGIBILITY

Section
114.9
114.10
114.20
114.30
114.40
114.50
114.52
114.60
114.61
114.62
114.63
114.64
114.70
114.80
114.100

Client Cooperation
Citizenship
Residence
Age
Relationship
Living Arrangement
Social Security Numbers
Work Registration Requirements
Individuals Exempt From Work Registration Requirements
Job Service Registration
Failure to Maintain Current Job Service Registration
Responsibility to Seek Employment
Initial Employment Expenses
Work and Training Programs
General Assistance Jobs Program (Repealed)

SUBPART C: PROJECT ADVANCE

Section
114.108
114.109
114.110
114.111
114.113
114.115
114.117

Project Advance
Project Advance Participation Requirements of
Adjudicated Fathers
Project Advance Cooperation Requirements of
Adjudicated Fathers
Project Advance Sanctions
Project Advance Good Cause for Failure to Comply
Individuals Exempt From Project Advance
Project Advance Supportive Services

SUBPART D: PROJECT CHANCE

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 114
GENERAL ASSISTANCE

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section	
114.120	Employment, Training, Rehabilitation, and Advocacy for General Assistance Programs Administered by the Illinois Department of Public Aid
114.121	Persons Required to Participate in Employment and Training
114.122	Advocacy Program for Persons Who Have Applied for Supplemental Security Income (SSI) Under Title XVI of the Social Security Act
114.123	Persons in Need of Work Rehabilitative Services (WRS) to Become Employable
114.124	Employment and Training Participation/Cooperation Requirements
114.125	Employment and Training Program Orientation
114.126	Employment and Training Program Full Assessment Process/Development of an Employment Plan
114.127	Employment and Training Program Components
114.128	Employment and Training Sanctions
114.129	Good Cause For Failure to Cooperate With Work and Training Participation Requirements
114.130	Employment and Training Supportive Services
114.140	Employment Child Care

SUBPART E: FINANCIAL FACTORS OF ELIGIBILITY

Section	
114.200	Unearned Income
114.201	Budgeting Unearned Income
114.202	Budgeting Unearned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
114.203	Initial Receipt of Unearned Income
114.204	Termination of Unearned Income
114.210	Exempt Unearned Income
114.220	Education Benefits
114.221	Unearned Income In-Kind
114.222	Earmarked Income
114.223	Lump Sum Payments
114.224	Protected Income
114.225	Earned Income
114.226	Budgeting Earned Income
114.227	Budgeting Earned Income of Applicants Receiving Income On Date of Application And/Or Date of Decision
114.228	Initial Employment
114.229	Termination of Employment
114.230	Exempt Earned Income
114.235	Recognized Employment Expenses
114.240	Income From Work/Study/Training Program
114.241	Earned Income From Self-Employment

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section	
114.242	Earned Income From Roomer and Boarder
114.243	Earned Income From Rental Property
114.244	Earned Income In-Kind
114.245	Payments from the Illinois Department of Children and Family Services
114.246	Budgeting Earned Income For Contractual Employees
114.247	Budgeting Earned Income For Non-contractual School Employees
114.250	Assets
114.251	Exempt Assets
114.252	Asset Disregards
114.260	Deferral of Consideration of Assets (Repealed)
114.270	Property Transfers
114.280	Supplemental Payments

SUBPART F: PAYMENT AMOUNTS

Section	
114.350	Payment Levels for General Assistance
114.351	Payment Levels in Group I Counties
114.352	Payment Levels in Group II Counties
114.353	Payment Levels in Group III Counties

SUBPART G: OTHER PROVISIONS

Section	
114.400	Persons Who May Be Included In the Assistance Unit
114.401	Eligibility of Strikers
114.402	Special Needs Authorizations
114.403	Institutional Status
114.404	Retrospective Budgeting
114.405	Budgeting Schedule
114.420	Redetermination of Eligibility
114.430	Six Month Extension of Medical Assistance Due to Increased Income From Employment

AUTHORITY: Implementing Article VI and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 6-1 et seq. and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill. Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; amended at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 7104, effective June 23, 1981; amended at 5 Ill. Reg. 8041, effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982; emergency amendment at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 8159, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; rules repealed, new rules adopted and codified at 7 Ill. Reg. 907, effective January 7, 1983; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 9909, effective August 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 16107; amended at 7 Ill. Reg. 16408, effective November 30, 1983; amended at 7 Ill. Reg. 16652, effective December 1, 1983; amended at 8 Ill. Reg. 243, effective December 27, 1983; amended at 8 Ill. Reg. 5233, effective April 9, 1984; amended at 8 Ill. Reg. 6764, effective April 27, 1984; amended at 8 Ill. Reg. 11435, effective June 27, 1984; amended at 8 Ill. Reg. 13319, effective July 16, 1984; amended at 8 Ill. Reg. 16237, effective August 24, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17896; amended at 9 Ill. Reg. 314, effective January 1, 1985; emergency amendment at 9 Ill. Reg. 823, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 9557, effective June 5, 1985; amended at 9 Ill. Reg. 10764, effective July 5, 1985; amended at 10 Ill. Reg. 15800, effective October 16, 1985; amended at 10 Ill. Reg. 1924, effective January 17, 1986; amended at 10 Ill. Reg. 3660, effective January 30, 1986; emergency amendment at 10 Ill. Reg. 4646, effective February 3, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 4896, effective March 7, 1986; amended at 10 Ill. Reg. 10681, effective June 3, 1986; amended at 10 Ill. Reg. 11041, effective June 5, 1986; amended at 10 Ill. Reg. 12662, effective July 14, 1986; amended at 10 Ill. Reg. 15118, effective September 5, 1986; amended at 10 Ill. Reg. 15640, effective September 19, 1986; amended at 10 Ill. Reg. 19079, effective October 24, 1986; amended at 11 Ill. Reg. 2307, effective January 16, 1987; amended at 11 Ill. Reg. 5297, effective March 11, 1987; amended at 11 Ill. Reg. 6238, effective March 20, 1987; emergency amendment at 11 Ill. Reg. 12449, effective July 10, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 12948, effective August 1, 1987, for a maximum of 150 days; emergency amendment at 11 Ill. Reg. 18311, effective November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 18689, effective November 1, 1987; emergency amendment at 11 Ill. Reg. 18791, effective

NOTICE OF PROPOSED AMENDMENTS

November 1, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 20129, effective December 4, 1987; amended at 11 Ill. Reg. 20889, effective December 14, 1987; amended at 12 Ill. Reg. 889, effective January 1, 1988; SUBPARTS C, D and E recodified to SUBPARTS E, F and G at 12 Ill. Reg. 2147; Section 114.110 recodified to Section 114.52 at 12 Ill. Reg. 2984; amended at 12 Ill. Reg. 3505, effective January 22, 1988; amended at 12 Ill. Reg. 6170, effective March 18, 1988; amended at 12 Ill. Reg. 6719, effective March 22, 1988; amended at 12 Ill. Reg. 9108, effective May 20, 1988; amended at 12 Ill. Reg. 9699, effective May 24, 1988; amended at 12 Ill. Reg. 9940, effective May 31, 1988; amended at 12 Ill. Reg. 11474, effective June 30, 1988; amended at 12 Ill. Reg. 14255, effective August 30, 1988; emergency amendment at 12 Ill. Reg. 14364, effective September 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16729, effective September 30, 1988; amended at 12 Ill. Reg. 20171, effective November 28, 1988; amended at 13 Ill. Reg. 89, effective January 1, 1989; amended at 13 Ill. Reg. 1546, effective January 20, 1989; amended at 13 Ill. Reg. 3900, effective March 10, 1989; amended at 13 Ill. Reg. 8580, effective May 20, 1989; amended at 13 Ill. Reg. _____, effective _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

Section 114.351 Payment Levels in Group I Counties

a) The following payment levels are established for the GA Program in Group I Counties.

b) The counties included in Group I are:

COUNTY	CARETAKER RELATIVE(S) AND CHILD(REN)	CHILD(REN) ONLY	
		CURRENT	GRAND- FATHERED
Boone	Kane		
Champaign	Kankakee		
Cook	Kendall		
DeKalb	Lake		
DuPage	McHenry		
	Ogle		
	Whiteside		
	Winnebago		
	Woodford		
1		154	165
2		250	268
		95	102
		187	201

ILLINOIS REGISTER

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 114.351 Payment Levels in Group I Counties (Cont'd)

SIZE OF ASSISTANCE UNIT	CARETAKER RELATIVE(S) AND CHILD(REN)	CHILD(REN) ONLY	
		CURRENT	GRAND- FATHERED
3		342	367
4		386	414
5		452	485
6		507	545
7		534	574
8		562	604
9		591	635
10		623	669
11		656	705
12		690	741
13		727	781
14		765	822
15		806	866
16		848	911
17		893	959
18		940	1010

c) For family sizes greater than 18 or 12, the amount of the payment level shall be determined by adding \$45 \$50.00 or \$45 \$38.00 respectively for each person above 18 or 12.

d) As the legislature has determined that payments under the GA program should contain amounts for the purpose of energy assistance, and has directed that such amounts be established by rule, the first \$10 of the GA Payment Level, in the City of Chicago and, for Caretaker Relatives and Children, Family size of 1, and the first \$18 of the GA Payment Level for Caretaker Relatives and Children of other family sizes has been designated as being for the purpose of energy assistance.

e) For assistance units which contain both caretaker relatives and children and which contain seven (7) nine (9) or more persons, two payment levels are established - Current and Grandfathered. Likewise, for assistance units with children only and which

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 114.351 Payment Levels in Group I Counties (Cont'd)
contain ~~five-(5)~~ six (6) or more persons, two payment levels are established - Current and Grandfathered.

- 1) Grandfathered Payment Levels apply for families who are at that family size as of January 1, 1987. Those families will remain at that Payment Level until there is a change in family composition or the family goes off the assistance rolls. If such a family changes family composition (adds a member or loses a member), thereafter the Current Payment Level for the appropriate family size will be used. If such family goes off assistance and then comes back on, the family will come back on the assistance rolls at the Current Payment Level for the appropriate family size. The Department will not withdraw "grandfathered" status if a change in family composition is rescinded or if an assistance unit is erroneously cancelled and then reinstated.

- 2) Current Payment Levels are the regular Payment Levels used by the Department and shall be used for all persons except those who meet the criteria of subsection (e)(1) above.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 114.352 Payment Levels in Group II Counties

- a) The following payment levels are established for the GA Program in Group II Counties.

- b) The counties included in Group II are:

Adams	Lee	St. Clair
Bureau	Livingston	Stephenson
Carroll	Logan	Tazewell
Clinton	Macon	Vermillion
Coles	Macoupin	Wabash
Dewitt	Madison	Warren
Douglas	McDonough	Will
Effingham	McLean	
Ford	Mercer	
Fulton	Monroe	
Grundy	Morgan	

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 114.352 Payment Levels in Group II Counties (Cont'd)

Henry	Iroquois	Jackson	Jodaviness	Knox	LaSalle	Moultrie	Peoria	Piatt	Putnam	Rock Island	Sangamon	SIZE OF ASSISTANCE UNIT	CARETAKER RELATIVE(S) AND CHILD(REN)		CHILD(REN) ONLY
													CURRENT	GRAND-FATHERED	
1													149	160	91 97
2													241	259	181 194
3													331	355	226 242
4													375	403	299 311
5													439	471	344 369
6													493	529	370 397
7													519	557	398 427
8													547	588	427 459
9													576	619	457 491
10													606	651	489 525
11													638	685	522 561
12													671	721	558 599
13													707	760	722
14													744	799	
15													783	841	
16													825	886	
17													869	934	
18													914	982	

- c) For family sizes greater than 18 or 12, the amount of the payment level shall be determined by adding \$45 \$48.00 or \$35 \$38.00 respectively for each person above 18 or 12.

- d) As the legislature has determined that payments under the GA program should contain amounts for the purpose of energy assistance, and has directed that such amounts be established by rule, the first \$5 of the GA Payment Level for Caretaker Relative and Children, Family size of 1, and the first \$18 of the GA Payment Level for Caretaker Relatives and Children of other

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 114.352 Payment Levels in Group II Counties (Cont'd)

family sizes has been designated as being for the purpose of energy assistance.

- e) For assistance units which contain both caretaker relatives and children and which contain ~~seven~~ ^{nine} (9) or more persons, two payment levels are established - Current and Grandfathered. Likewise, for assistance units with children only and which contain six (6) or more persons, two payment levels are established - Current and Grandfathered.

1) Grandfathered Payment Levels apply for families who are at that family size as of January 1, 1987. Those families will remain at that Payment Level until there is a change in family composition or the family goes off the assistance rolls. If such a family changes family composition (adds a member or loses a member), thereafter the Current Payment Level for the appropriate family size will be used. If such a family goes off assistance and then comes back on, the family will come back on the assistance rolls at the Current Payment Level for the appropriate family size. The Department will not withdraw "grandfathered" status if a change in family composition is rescinded or if an assistance unit is erroneously cancelled and then reinstated.

2) Current Payment Levels are the regular Payment Levels used by the Department and shall be used for all persons except those who meet the criteria of subsection (e)(1) above.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 114.353 Payment Levels in Group III Counties

a) The following payment level are established for the GA Program in Group III Counties.

b) The counties included in Group III are:

Alexander	Edgar	Jasper	Montgomery
Bond	Edwards	Jefferson	Perry
			Shelby
			Stark

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 114.353 Payment Levels in Group III Counties (Cont'd)

Brown	Fayette	Jersey	Pike	Union
Calhoun	Franklin	Johnson	Pope	Washington
Cass	Gallatin	Lawrence	Pulaski	Wayne
Christian	Greene	Marion	Randolph	White
Clark	Hamilton	Marshall	Richland	Williamson
Clay	Hancock	Mason	Saline	
Crawford	Hardin	Massac	Schuyler	
Cumberland		Henderson	Menard	Scott

SIZE OF ASSISTANCE UNIT	CARETAKER RELATIVE(S) AND CHILD(REN)	CURRENT GRAND-FATHERED		CURRENT	GRAND-FATHERED
		CURRENT	GRAND-FATHERED		
1		144	154	88	94
2		230	247	175	188
3		316	339	221	237
4		362	389	281	302
5		422	453	334	359
6		476	511	369	387
7		501	538	386	414
8		527	566	414	445
9		556	597	444	480
10		585	628	475	532
11		616	662	507	580
12			684	545	634
			696	581	
13		682	733	791	
14		718	771	843	
15		756	812	899	
16		796	855	951	
17		838	900	1005	
18		882	948	1058	

c) For family sizes greater than 18 or 12, the amount of the payment level shall be determined by adding \$45 \$48.00 or \$35 \$36.00 respectively for each person above 18 or 12.

d) As the legislature has determined that payments under the GA program should contain amounts for the purpose of energy assistance, and has directed that such amounts be established by rule, the first \$18 of the GA Payment Level for Caretaker Relatives and Children

NOTICE OF PROPOSED AMENDMENTS

Section 114.353 Payment Levels in Group III Counties (Cont'd)

of all family sizes except the family size of 1 has been designated as being for the purpose of energy assistance.

- e) For an assistance unit which contains both caretaker relative(s) and children and which contains nine (9) or more of eleven (11) persons, two payment levels are established - Current and Grandfathered. -- Likewise for assistance units with children only and which contain six (6) or more persons -- two payment levels are established -- Current and Grandfathered.

- 1) Grandfathered Payment Levels apply for families who are at that family size as of January 1, 1987. Those families will remain at that Payment Level until there is a change in family composition or the family goes off the assistance rolls. If such a family changes family composition (adds a member or loses a member), thereafter the Current Payment Level for the appropriate family size will be used. If such a family goes off assistance and then comes back on, the family will come back on the assistance rolls at the Current Payment Level for the appropriate family size. The Department will not withdraw "grandfathered" status if a change in family composition is rescinded or if an assistance unit is erroneously cancelled and then reinstated.

- 2) Current Payment Levels are the regular Payment Levels used by the Department and shall be used for all persons except those who meet the criteria of subsection (e)(1) above.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

NOTICE OF PROPOSED AMENDMENTS

- 1) The Heading of the Part: MEDICAL ASSISTANCE PROGRAMS

- 2) Code Citation: 89 Ill. Adm. Code 120

- 3) Section Numbers: Proposed Action:

120.20 Amendment
120.30 Amendment

- 4) Statutory Authority: Sections 5-4 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 5-4 and 12-13)

- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking increases the MANG Standard to coincide with the increase in the Aid To Families With Dependent Children payment levels. Interested parties should see 89 Ill. Adm. Code 112 in this issue of the Illinois Register.

- 6) Will these proposed amendments replace emergency amendments currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? Yes ☒ No ☐

- 8) Do these proposed rules contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? Yes

Section Numbers	Proposed Action	Illinois Register Citation
120.31	Amendment	June 30, 1989 (13 Ill. Reg. 9996)
120.70	Amendment	March 17, 1989 (13 Ill. Reg. 3281)
120.72	New Section	March 17, 1989 (13 Ill. Reg. 3281)
120.74	New Section	March 17, 1989 (13 Ill. Reg. 3281)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section Numbers Proposed Action Illinois Register Citation

120.76	New Section	March 17, 1989 (13 Ill. Reg. 3281)
120.382	Amendment	March 17, 1989 (13 Ill. Reg. 3281)
120.346	New Section	July 7, 1989 (13 Ill. Reg. 10753)
120.380	Amendment	July 7, 1989 (13 Ill. Reg. 10753)

10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762, (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 120

MEDICAL ASSISTANCE PROGRAMS

SUBPART A: GENERAL PROVISIONS

Section
120.1 Incorporation By Reference

SUBPART B: ASSISTANCE STANDARDS

Section
120.10 Eligibility For Medical Assistance
120.11 Eligibility For Medical Assistance For Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy
120.20 MANG(AABD) Income Standard
120.30 MANG(C) Income Standard
120.31 MANG(P) Income Standard
120.40 Exceptions To Use Of MANG Income Standard
120.50 AMI Income Standard

SUBPART C: FINANCIAL ELIGIBILITY DETERMINATION

Section
120.60

All Cases Other Than Intermediate Care, Skilled Nursing Care, DMHDD, DMHDD Approved Community Based Settings and Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy

120.61 Cases in Intermediate Care, Skilled Nursing Care and DMHDD - MANG(AABD) and MANG(C)
120.62 Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings Under 89 Ill. Adm. Code 140.643

120.63 Department of Mental Health and Developmental Disabilities (DMHDD) Approved Home and Community Based Residential Settings
120.64 Pregnant Women and Infants Under Age One Year Who Do Not Qualify As Mandatory Categorically Needy

SUBPART D: SUPPLEMENTARY MEDICAL INSURANCE

DEPARTMENT OF PUBLIC AID

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

Section
120.70
Supplementary Medical Insurance Benefits, Buy-In Program

SUBPART E: RECIPIENT RESTRICTION PROGRAM

Section
120.80
Recipient Restriction Program

SUBPART F: MIGRANT MEDICAL PROGRAM

Section
120.90
Migrant Medical Program
120.91
Income Standards

SUBPART G: AID TO THE MEDICALLY INDIGENT

Section
120.208
Client Cooperation
120.210
Citizenship
120.211
Residence
120.212
Age
120.215
Relationship
120.216
Living Arrangement
120.217
Supplemental Payments
120.218
Institutional Status
120.224
Foster Care Program
120.225
Social Security Numbers
120.230
Unearned Income
120.235
Exempt Unearned Income
120.236
Education Benefits
120.240
Unearned Income In-Kind
120.245
Earmarked Income
120.250
Lump Sum Payments and Income Tax Refunds
120.255
Protected Income
120.260
Earned Income
120.261
Budgeting Earned Income
120.262
Exempt Earned Income
120.270
Recognized Employment Expenses
120.271
Income From Work/Study/Training Program
120.272
Earned Income From Self-Employment
120.273
Earned Income From Roomer and Boarder
120.275
Earned Income In-Kind
120.276
Payments from the Illinois Department of Children and Family Services
120.280
Assets
120.281
Exempt Assets
120.282
Asset Disregards

Section
120.283
Deferral of Consideration of Assets
120.284
Spend-down of Assets (AMI)
120.285
Property Transfers
120.290
Persons Who May Be Included in the Assistance Unit
120.295
Payment Levels for AMI

SUBPART H: MEDICAL ASSISTANCE - NO GRANT

Section
120.308
Client Cooperation
120.309
Caretaker Relative
120.310
Citizenship
120.311
Residence
120.312
Age
120.313
Blind
120.314
Disabled
120.315
Relationship
120.316
Living Arrangements
120.317
Supplemental Payments
120.318
Institutional Status
120.319
Assignment of Rights to Medical Support and Collection of Payment
120.320
Cooperation in Establishing Paternity and Obtaining Medical Support
120.321
Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.322
Proof of Good Cause for Failure to Cooperate in Establishing Paternity and Obtaining Medical Support
120.323
Suspension of Paternity Establishment and Obtaining Medical Support Upon Finding Good Cause
120.324
Foster Care Program
120.325
Social Security Numbers
120.330
Unearned Income
120.332
Budgeting Unearned Income
120.335
Exempt Unearned Income
120.336
Education Benefits
120.338
Incentive Allowance
120.340
Unearned Income In-Kind
120.342
Court Ordered Child Support Payments of Parent/Step-Parent
120.345
Earmarked Income
120.350
Lump Sum Payments and Income Tax Refunds
120.355
Protected Income
120.360
Earned Income
120.361
Budgeting Earned Income
120.362
Exempt Earned Income
120.364
Earned Income Exemption

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section

- 120.366 Exclusion From Earned Income Exemption
 120.370 Recognized Employment Expenses
 120.371 Income From Work/Study/Training Programs
 120.372 Earned Income From Self-Employment
 120.373 Earned Income From Roomer and Boarder
 120.375 Earned Income In Kind
 120.376 Payments from the Illinois Department of Children and Family Services
 120.380 Assets
 120.381 Exempt Assets
 120.382 Asset Disregard
 120.383 Deferral of Consideration of Assets
 120.384 Spend-down of Assets (MANG)
 120.385 Property Transfers
 120.390 Persons Who May Be Included In the Assistance Unit
 120.391 Individuals Under Age 18 Who Do Not Qualify For AFDC/AFDC-MANG And Infants Under Age One Year
 120.392 Pregnant Women Who Would Not Be Eligible For AFDC/AFDC-MANG If The Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
 120.393 Pregnant Women And Children Under Age Eight Years Who Do Not Qualify As Mandatory Categorically Needy Demonstration Project
 120.395 Payment Levels for MANG
 120.399 Redetermination of Eligibility

AUTHORITY: Implementing Articles III, IV, V, VI and VII and authorized by Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq. and 12-13).

SOURCE: Filed effective December 30, 1977; peremptory amendment at 2 Ill. Reg. 17, p. 117, effective February 1, 1978; amended at 2 Ill. Reg. 31, p. 134, effective August 5, 1978; emergency amendment at 2 Ill. Reg. 37, p. 4, effective August 30, 1978, for a maximum of 150 days; peremptory amendment at 2 Ill. Reg. 46, p. 44, effective November 1, 1978; peremptory amendment at 2 Ill. Reg. 46, p. 56, effective November 1, 1978; emergency amendment at 3 Ill. Reg. 16, p. 41, effective April 9, 1979, for a maximum of 150 days; emergency amendment at 3 Ill. Reg. 28, p. 182, effective July 1, 1979, for a maximum of 150 days; amended at 3 Ill. Reg. 33, p. 399, effective August 18, 1979; amended at 3 Ill. Reg. 33, p. 415, effective August 18, 1979; amended at 3 Ill. Reg. 38, p. 243, effective September 21, 1979, peremptory amendment at 3 Ill. Reg. 38, p. 321, effective September 7, 1979; amended at 3 Ill. Reg. 40, p. 140, effective October 6, 1979; amended at 3 Ill.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

- Reg. 46, p. 36, effective November 2, 1979; amended at 3 Ill. Reg. 47, p. 96, effective November 13, 1979; amended at 3 Ill. Reg. 48, p. 1, effective November 15, 1979; peremptory amendment at 4 Ill. Reg. 9, p. 259, effective February 22, 1980; amended at 4 Ill. Reg. 10, p. 258, effective February 25, 1980; at 4 Ill. Reg. 12, p. 551, effective March 10, 1980; amended at 4 Ill. Reg. 27, p. 387, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 29, p. 294, effective July 8, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 37, p. 797, effective September 2, 1980; amended at 4 Ill. Reg. 37, p. 800, effective September 2, 1980; amended at 4 Ill. Reg. 45, p. 134, effective October 27, 1980; amended at 5 Ill. Reg. 766, effective January 2, 1981; amended at 5 Ill. Reg. 1134, effective January 26, 1981; peremptory amendment at 5 Ill. Reg. 5722, effective June 1, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 5 Ill. Reg. 8041 effective July 27, 1981; amended at 5 Ill. Reg. 8052, effective July 24, 1981; peremptory amendment at 5 Ill. Reg. 8106, effective August 1, 1981; peremptory amendment at 5 Ill. Reg. 10062, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10079, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10095, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10113, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10124, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 10131, effective October 1, 1981; amended at 5 Ill. Reg. 10730, effective October 1, 1981; amended at 5 Ill. Reg. 10733, effective October 1, 1981; amended at 5 Ill. Reg. 10760, effective October 1, 1981; amended at 5 Ill. Reg. 10767, effective October 1, 1981; peremptory amendment at 5 Ill. Reg. 11647, effective October 16, 1981; peremptory amendment at 6 Ill. Reg. 611, effective January 1, 1982, amended at 6 Ill. Reg. 1216, effective January 14, 1982; emergency amendment at 6 Ill. Reg. 2447, effective March 1, 1982, for a maximum of 150 days; peremptory amendment at 6 Ill. Reg. 2452, effective February 11, 1982; peremptory amendment at 6 Ill. Reg. 6475, effective May 18, 1982; peremptory amendment at 6 Ill. Reg. 6912, effective May 20, 1982; emergency amendment at 6 Ill. Reg. 7299, effective June 2, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 8115, effective July 1, 1982; amended at 6 Ill. Reg. 8142, effective July 1, 1982; amended at 6 Ill. Reg. 10970, effective August 26, 1982; amended at 6 Ill. Reg. 11921, effective September 21, 1982; amended at 6 Ill. Reg. 12293, effective October 1, 1982; amended at 6 Ill. Reg. 12318, effective October 1, 1982; amended at 6 Ill. Reg. 13754, effective November 1, 1982; amended at 7 Ill. Reg. 394, effective January 1, 1983; codified

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

at 7 Ill. Reg. 6082; amended at 7 Ill. Reg. 8256, effective July 1, 1983; amended at 7 Ill. Reg. 8264, effective July 5, 1983; amended (by adding section being codified with no substantive change) at 7 Ill. Reg. 14747; amended (by adding sections being codified with no substantive change) at 7 Ill. Reg. 16108; amended at 8 Ill. Reg. 5253, effective April 9, 1984; amended at 8 Ill. Reg. 6770, effective April 27, 1984; amended at 8 Ill. Reg. 13328, effective July 16, 1984; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17897; amended at 8 Ill. Reg. 18903, effective September 26, 1984; peremptory amendment at 8 Ill. Reg. 20706, effective October 3, 1984; amended at 8 Ill. Reg. 25053, effective December 12, 1984; emergency amendment at 9 Ill. Reg. 830, effective January 3, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 4515, effective March 25, 1985; amended at 9 Ill. Reg. 5346, effective April 11, 1985; amended at 9 Ill. Reg. 7153, effective May 6, 1985; amended at 9 Ill. Reg. 11346, effective July 8, 1985; amended at 9 Ill. Reg. 12298, effective July 25, 1985; amended at 9 Ill. Reg. 12823, effective August 9, 1985; amended at 9 Ill. Reg. 15903, effective October 4, 1985; amended at 9 Ill. Reg. 16300, effective October 10, 1985; amended at 9 Ill. Reg. 16906, effective October 18, 1985; amended at 10 Ill. Reg. 1192, effective January 10, 1986; amended at 10 Ill. Reg. 3033, effective January 23, 1986; amended at 10 Ill. Reg. 4907, effective March 7, 1986; amended at 10 Ill. Reg. 6966, effective April 16, 1986; amended at 10 Ill. Reg. 10688, effective June 3, 1986; amended at 10 Ill. Reg. 12672, effective July 14, 1986; amended at 10 Ill. Reg. 15649, effective September 19, 1986; amended at 11 Ill. Reg. 3992, effective February 23, 1987; amended at 11 Ill. Reg. 7652, effective April 15, 1987; amended at 11 Ill. Reg. 8735, effective April 20, 1987; emergency amendment at 11 Ill. Reg. 12458, effective July 10, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 14034, effective August 14, 1987; amended at 11 Ill. Reg. 14763, effective August 26, 1987; amended at 11 Ill. Reg. 20142, effective January 1, 1988; amended at 11 Ill. Reg. 20898, effective December 14, 1987; amended at 12 Ill. Reg. 904, effective January 1, 1988; amended at 12 Ill. Reg. 3516, effective January 22, 1988; amended at 12 Ill. Reg. 6234, effective March 22, 1988; amended at 12 Ill. Reg. 8672, effective May 13, 1988; amended at 12 Ill. Reg. 9132, effective May 20, 1988; amended at 12 Ill. Reg. 11483, effective June 30, 1988; emergency amendment at 12 Ill. Reg. 11632, effective July 1, 1988, for a maximum of 150 days; emergency amendment at 12 Ill. Reg. 11839, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12835, effective July 22, 1988; emergency amendment at 12 Ill. 13243,

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

effective July 29, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 17867, effective October 30, 1988; amended at 12 Ill. Reg. 19704, effective November 15, 1988; amended at 12 Ill. Reg. 20188, effective November 23, 1988; amended at 13 Ill. Reg. 116, effective January 1, 1989; amended at 13 Ill. Reg. 2081, effective February 3, 1989; amended at 13 Ill. Reg. 3908, effective March 10, 1989; emergency amendment at 13 Ill. Reg. 11929, effective June 27, 1989, for a maximum of 150 days; emergency amendment at 13 Ill. Reg. 12137, effective July 1, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. effective October 6, 1989; amended at 13 Ill. Reg. _____.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE

Section 120.20 MANG(AABD) Income Standard

Number In Family	Monthly Net Income
1	267 283
2	333 358
3	458 492
4	517 558
5	608 650
6	683 733
7	717 767
8	750 808
9	792 850
10	833 900
11	875 942
12	925 992
13	975 1042
14	1025 1100
15	1075 1158
16	1133 1217
17	1192 1283
18	1258 1350

a) If the above number in the household exceeds the number provided above, add \$66 \$67.00 for each additional person.

b) A client receiving care in a public tuberculosis hospital is not considered to be receiving long term care. Such a client's financial eligibility for MANG

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 120.20 MANG(AABD) Income Standard (Cont'd)

is determined by use of the Aid to the Aged, Blind or Disabled MANG (AABD) Income Standard.

- c) The MANG (AABD) Income Standard is used in the determination of financial eligibility for MANG of a client living in a residential home of facility which is not licensed as a medical care facility or as a sheltered care facility. The cost of maintenance and/or care in such a facility is not an allowable medical expense. Regardless of the amount the client may be paying for care and/or maintenance in the facility, the client's nonexempt income and assets in excess of the MANG (AABD) Standard are considered available for payment for medical care not provided in the facility.

d) MANG

- 1) A recipient residing in a DMHDD facility is allowed \$30.00 per month in lieu of any other MANG standard.
- 2) As soon as MANG (AABD) clients become residents of a DMHDD facility, a Skilled Nursing Facility, an Intermediate Care Facility, or other facility, their eligibility for MANG is determined separately from persons remaining in the home.
- 3) When eligibility is based on being temporarily discharged from a DMHDD facility for the purpose of obtaining medical care in a general hospital, the amount which the recipient is obligated to pay the DMHDD for care and maintenance is to be allowed in addition to the \$30.00.
- 4) Clients in a group care facility are allowed a deduction from their non-SSI income to meet the needs of their dependent spouse and/or children remaining in the home. To calculate the amount of non-SSI income to be deducted, use the:
 - A) AABD cash grant standard if the deduction is for a spouse only, or

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 120.20 MANG(AABD) Income Standard (Cont'd)

- B) AFDC cash grant standard if the deduction is for a spouse and/or children.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

Section 120.30 MANG(C) Income Standard

Number In Family	Monthly Net Income
1	267 283
2	333 358
3	458 492
4	517 558
5	608 650
6	683 733
7	717 767
8	750 808
9	792 850
10	833 900
11	875 942
12	925 992
13	975 1042
14	1025 1100
15	1075 1158
16	1133 1217
17	1192 1283
18	1258 1350

- a) If the number in the household unit exceeds the number provided above, add \$66 \$67.00 for each additional person.
- b) MANG(C) is available for a pregnant woman, of any age, who would be eligible for AFDC or MANG(C) if the child had already been born. If the woman is married and her spouse lives with her, her pregnancy does not make her spouse eligible for MANG(C). The pregnant woman and her spouse's income are combined and compared to the MANG standard for three persons even though only the pregnant woman is eligible to receive MANG(C) before the child's birth.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENTS

Section 120.30 MANG(C) Income Standard (Cont'd)

- c) If the case includes adults only, the MANG standard for one adult is ~~\$267~~ \$283.00. The standard for two adults is ~~\$333~~ \$358.00. An unborn child is counted as a family member.
- d) When a child has earmarked income, other than State Supplemental Income (SSI), and the parent does not want this income applied to total family needs, the child is not to be included in the assistance unit. The family size used in the application of the MANG(C) Income Standards shall be reduced by one for each such child determined ineligible on this basis.
- e) When financial eligibility for MANG(C) is being determined for one child only, the income of the child in excess of ~~\$267~~ \$283.00 a month is considered available to pay toward the child's medical expenses. The child shall be allowed an asset disregard in the amount for one client as stated in Section 120.382.
- f) If eligibility is being determined for more than one child, the MANG(C) Standard for number of people shall be used. Two children shall be allowed an asset disregard in the amount for a client and one dependent as stated in Section 120.382. Add \$50 for each additional child residing in the same household.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

- 1) The Heading of the Part: REFUGEE/ENFRANT/REPATRIATE PROGRAM
- 2) Code Citation: 89 Ill. Adm. Code 115
- 3) Section Number: Proposed Action:
115.10 Amendment
- 4) Statutory Authority: Sections 12-4.4 thru 12-4.6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, Ch. 23, Pars. 12-4.4 thru 12-4.6 and 12-13)
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking increases the Refugee Assistance payment level by 7.5%, effective January 1, 1990. Interested parties should also see 89 Ill. Adm. Code 112, 114 and 120 in this issue of the Illinois Register.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? _____ Yes X No
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? No
- 10) Statement of Statewide Policy Objectives: This rulemaking has no effect on local governmental units.
- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments concerning the proposed rulemaking. All comments must be in writing and should be addressed to Anita Williams, Staff Attorney, Office of the General Counsel, Illinois Department of Public Aid, Jesse B. Harris Building II, 100 South Grand Avenue East, 3rd Floor, Springfield, Illinois 62762, (217) 782-1233. The Department will consider all written comments it receives within 30 days of the date of publication of this notice.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

- 12) Initial Regulatory Flexibility Analysis: This rulemaking has no effect on small businesses.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER b: ASSISTANCE PROGRAMS

PART 115

REFUGEE/ENTRANT/REPATRIATE PROGRAM

Section

- 115.1 Incorporation By Reference
- 115.10 General Provisions
- 115.20 The Cuban Phasedown Program (Repealed)
- 115.30 The Refugee Resettlement Program
- 115.32 Refugee Resettlement Program: Application for Assistance
- 115.33 Refugee Resettlement Program: Furnishing of Social Security Numbers (SSN)
- 115.34 Refugee Resettlement Program: Work Registration/Participation Requirements
- 115.36 Refugee Resettlement Program: Individuals Exempt From Mandatory Work Registration/Participation Requirements
- 115.37 Refugee Resettlement Program: Counseling (Repealed)
- 115.38 Refugee Resettlement Program: Sanctions for Failure to Cooperate With Work Requirements
- 115.39 Refugee Resettlement Program: Good Cause For Failure to Cooperate
- 115.40 The Cuban/Haitian/Entrant Program (Status Pending)
- 115.50 The Repatriate Program
- 115.60 Special Provisions Relating to Parolees

AUTHORITY: Implementing and authorized by Sections 12-4.5, 12-4.6 and 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 12-4.5, 12-4.6 and 12-13).

SOURCE: Filed and effective December 30, 1977; emergency amendment at 2 Ill. Reg. 28, p. 2, effective June 1, 1978 for a maximum of 150 days; amended at 2 Ill. Reg. 48, p. 60, effective November 25, 1978; amended at 5 Ill. Reg. 2786, effective March 3, 1981; amended at 5 Ill. Reg. 7071, effective June 23, 1981; amended at 6 Ill. Reg. 11921, effective September 21, 1982; codified at 7 Ill. Reg. 5195; amended at 7 Ill. Reg. 16109, effective November 22, 1983; amended at 8 Ill. Reg. 6804, effective May 3, 1984; amended at 9 Ill. Reg. 2296, effective February 5, 1985; amended at 13 Ill. Reg. 3932, effective March 10, 1989; amended at 13 Ill. Reg. 13631, effective August 14, 1989; amended at 13 Ill. Reg. _____, effective _____.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section 115.10

General Provisions

a) The Department administers the Refugee Resettlement Program (RRP), the Cuban/Haitian Entrant (Status Pending) Program (CHEP), and the Repatriate Program in Illinois.

b) For the Refugee Resettlement Program and the Cuban/Haitian Entrant (Status Pending) Program, assistance shall be authorized on the basis of the Aid to Families with Dependent Children (AFDC) Payment Level. The following case compositions define the level of issuance:

- 1) Single Adult (age 18 or older).
- 2) Family cases must include at least one eligible child. Only the following adults may be included:
 - A) A specified relative of the child and the spouse of the specified relative; or
 - B) The legal guardian of child and the spouse of the legal guardian; or
 - C) The unrelated caretaker of a child and the spouse of the unrelated caretaker.

c) Resources to be considered in all situations are those immediately available for use at the time financial assistance is needed. Available resources are to be considered when they are in existence, the value is ascertainable, they are under the control of the recipient, and can be drawn upon for maintenance.

d) For the Refugee Resettlement Program assistance may not ordinarily be furnished for more than 12 months after the date of entry. The Cuban/Haitian Entrant (Status Pending) program is limited to 12 months after the specific date.

e) The following provisions are applicable to the RRP and CHEP programs:

- 1) To be eligible for RRP and CHEP, a family or individual(s) must be ineligible for categorical assistance (AFDC, Aid to the Aged, Blind or Disabled (AABD), and related Medical Assistance No Grant (MANG) programs);

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section 115.10

General Provisions (Cont'd)

2) The individuals must avail themselves of all potential resources including application for and acceptance of Supplemental Security Income (SSI) and categorical assistance; and

3) The following provisions of the AFDC program (See 89 Ill. Adm. Code 112) are applicable to the RRP:

- A) Client and Department rights and responsibilities. Refugees or parolees who are potentially eligible for SSI must apply for SSI.

B) Application for assistance (not eligible for \$100 compensatory payment or Presumptive Eligibility (PE) authorization. All refugees over 18 years of age must sign the application.

C) Citizenship.

D) Residence. Temporary absence from the home does not apply to RRP.

E) Client Cooperation.

F) Furnishing of Social Security Numbers

G) Registration/Participation requirements.

H) Assets.

I) Income. All non-exempt income, including income from the Voluntary Sponsoring Agency (VOLAG) must be budgeted. The earned income exemption (\$30 + 1/3 does not apply).

J) Support from responsible relatives (Non-Title IV-D (42 U.S.C. 651 et seq.) provisions).

K) Personal Injury.

L) Other financial benefits (i.e., the child care for work and training and other benefits described in 89 Ill. Adm. Code 112.308).

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section 115.10 General Provisions (Cont'd)

M)

Standards:

For a single adult case, the following payment levels apply:

i) Group I Counties
\$6-60-daily
\$212.00 monthly
\$198-00-monthly

ii) Group II Counties
\$6-33-daily
\$204.00 monthly
\$190-00-monthly

iii) Group III Counties
\$5-37-daily
\$173.00 monthly
\$161-00-monthly

N) Special authorizations.

O) Medical Assistance standard (use the MANG(C) standard if Medical Assistance only is authorized; for a household of one, the Medical-Only Standard is \$267 \$283/month).

P) Redetermination of Eligibility:

i) Monthly reporting does not apply to RRP.

ii) Refugee recipients are not included in central redeterminations.

iii) The Department must contact the VOLAG (See Section 115.32 for information to request).

Q) Case Records.

R) Medical Services.

S) Funeral and Burials.

T) Incorrect Payments.

DEPARTMENT OF PUBLIC AID

NOTICE OF PROPOSED AMENDMENT

Section 115.10 General Provisions (Cont'd)

U) Special Projects.

V) Crisis Assistance Programs (i.e., the Hardship Program, the Special Assistance Program and the Emergency Assistance Program described in 89 Ill. Adm. Code 116).

W) Replacement of lost or stolen warrants.

4) In family cases, the parent (or other responsible person making application) is to be designated as the payee. In adult cases, the recipient is to be the payee.

f) Individuals receiving assistance under these three programs are eligible to participate in the food stamp program if they meet the eligibility requirements of the Food Stamp Program.

(Source: Amended at 13 Ill. Reg. _____, effective _____)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

1) Heading of the Part: Maintenance

2) Code Citation: 89 Ill. Adm. Code 602

3) Section Numbers:
602.20
Proposed Action:
amendment

4) Statutory Authority: Implementing and authorized by Sections 3(a), (b), and (k) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, ch. 23, pars. 3434(a), (b), and (k)).

5) A Complete Description of the Subjects and Issues involved:
Section 602.20 is being amended to cite exceptions for which maintenance may be provided once a client has become employed. Minor wording changes have also been made, and Management Control Project has been deleted from the title.

6) Will this proposed rule replace an emergency rule currently in effect? No

7) Does this rulemaking contain an automatic repeal date?
Yes ☒ No

8) Does this proposed rule (amendment, repealer) contain incorporations by reference? No

9) Are there any other amendments pending on this Part? No

Section Numbers Proposed Action Illinois Register Citation

10) Statement of Statewide Policy Objectives (if applicable):
Not Applicable

11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: All persons who submit a written request to comment within fourteen (14) days after this notice has been published shall be given a reasonable opportunity to submit data, views, argument or comments about this rulemaking. All such submissions shall be made within forty-five (45) days after this notice has been published. Any comments submitted within forty-five (45) days after this notice has been published will be considered by the Department. All requests and comments should be submitted in writing to:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENT

Ms. Leigh Reed
Regulations and Procedures Section
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429

Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

If because of physical disability you are unable to put comments into writing, you may make them orally to the person listed above.

12) Initial Regulatory Flexibility Analysis: The Department has determined that this rulemaking will not effect small businesses.

The full text of the Proposed Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF PROPOSED AMENDMENTS

TITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER b: VOCATIONAL REHABILITATIONPART 602
MAINTENANCE

Section
602.10 General Applicability
602.20 Provision of Maintenance

AUTHORITY: Implementing and authorized by Sections 3(a),(b), and (k) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, ch. 23, pars. 3434(a),(b), and (k)).

SOURCE: Adopted at 9 Ill. Reg. 8809, effective June 10, 1985 amended at 11 Ill. Reg. 4036, effective February 18, 1987; amended at 12 Ill. Reg. 6745, effective March 29, 1988, amended at 13 Ill. Reg. _____, effective _____.

Section 602.20 Provision of Maintenance

Maintenance will be provided to clients to cover a disabled individual's basic living expenses (such as food, shelter, clothing and other subsistence expenses), in accordance with Client Financial Participation (89 Ill. Adm. Code 562) and when it is necessary to support and derive the full benefit of other vocational rehabilitation services being provided. Supplemental Security Income will be considered as income available to the client for basic living expenses, for purposes of determining the amount of maintenance provided by DORS. The client shall indicate to the counselor that the objectives established in the client's Individualized Written Rehabilitation Program cannot be completed without payment of ~~unless~~ subsistence expenses. ~~are~~ taken care of. With the exception of those services listed in 89 Ill. Adm. Code 562.30(a)(1) through (4), maintenance payments will not be provided after ~~once~~ a client has become employed and has received his/her first paycheck.

(Source: Amended at 13 Ill. Reg. _____, effective _____

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Retailers' Occupation Tax
- 2) Code Citation: 86 Ill. Adm. Code 130
- 3) Section Numbers: 130.1935
Proposed Action: Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 120, par. 441
- 5) A Complete Description of the Subjects and Issues Involved: Taxation of computer software.
- 6) Will this proposed rule replace an emergency rule currently in effect? No
- 7) Does this rulemaking contain an automatic repeal date? Yes ☒ No ☐
- 8) Does this proposed amendment contain incorporations by reference? No
- 9) Are there any other proposed amendments pending on this Part? Yes

<u>Section Numbers</u>	<u>Proposed Action</u>	<u>Illinois Register Citation</u>
130.330	Amendment	12/23/88, 12 Ill. Reg. 22097
130.2000	Amendment	12/23/88, 12 Ill. Reg. 22097
130.310	Amendment	6/2/89, 13 Ill. Reg. 8391

10) Statement of Statewide Policy Objectives: N/A

- 11) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Persons who wish to submit comments on this proposed rule may submit them in writing by no later than 45 days after publication of this notice to:

R. Dale Yung
Administrator
Legal Services Bureau
Illinois Department of Revenue
101 West Jefferson
Springfield, Illinois 62794
Phone: (217) 782-6336

12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Small Business Office of the Department of Commerce and Community Affairs: September 12, 1989
- B) Types of small businesses affected: Those buying or selling software.

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

C) Reporting, bookkeeping or other procedures required for compliance:
The same as presently required.

D) Types of professional skills necessary for compliance: Bookkeeping.

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

TITLE 86: REVENUE

CHAPTER I: DEPARTMENT OF REVENUE

PART 130

RETAILERS' OCCUPATION TAX

SUBPART A: NATURE OF TAX

Section

130.101	Character and Rate of Tax
130.115	Responsibility of Trustees, Receivers, Executors or Administrators
130.110	Occasional Sales
130.111	Sale of Used Motor Vehicles by Leasing or Rental Business
130.115	Habitual Sales
130.120	Nontaxable Transactions

SUBPART B: SALE AT RETAIL

Section

130.201	The Test of a Sale at Retail
130.205	Sales for Transfer Incident to Service
130.210	Sales of Tangible Personal Property to Purchasers for Resale
130.215	Further Illustrations
130.220	Sales to Lessors of Tangible Personal Property

SUBPART C: CERTAIN STATUTORY EXEMPTIONS

Section

130.305	Farm Machinery and Equipment
130.310	Food, Drugs, Medicines and Medical Appliances
130.315	Fuel Sold for Use in Vessels on Rivers Bordering Illinois
130.320	Gasohol
130.325	Graphic Arts Machinery and Equipment Exemption
130.330	Manufacturing Machinery and Equipment
130.335	Pollution Control Facilities
130.340	Rolling Stock
130.345	Oil Field Exploration, Drilling and Production Equipment
130.350	Coal Exploration, Mining, Off Highway Hauling, Processing, Maintenance and Reclamation Equipment

SUBPART D: GROSS RECEIPTS

Section

130.401	Meaning of Gross Receipts
130.405	How to Avoid Paying Tax on State or Local Tax Passed on to the Purchaser
130.410	Cost of Doing Business Not Deductible
130.415	Transportation and Delivery Charges
130.420	Finance or Interest Charges--Penalties--Discounts
130.425	Traded-In Property
130.430	Deposit or Prepayment on Purchase Price
130.435	State and Local Taxes Other Than Retailers' Occupation Tax
130.440	Penalties

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

130.445 Federal Taxes
130.450 Installation, Alteration and Special Service Charges

Section
130.501 Monthly Tax Returns--When Due--Contents
130.505 Returns and How to Prepare
130.510 Annual Tax Returns
130.515 First Return
130.520 Final Returns When Business is Discontinued
130.525 Who May Sign Returns
130.530 Returns Covering More Than One Location Under Same Registration--Separate Returns for Separately Registered Locations
130.535 Payment of the Tax, Including Quarter Monthly Payments in Certain Instances

130.540 Returns on a Transaction by Transaction Basis
130.545 Registrants Must File a Return for Every Return Period
130.550 Filing of Returns for Retailers by Suppliers Under Certain Circumstances

130.551 Prepayment of Retailers' Occupation Tax on Motor Fuel
130.555 Vending Machine Information Returns
130.560 Verification of Returns

SUBPART F: INTERSTATE COMMERCE

Section
130.601 Preliminary Comments
130.605 Sales of Property Originating in Illinois
130.610 Sales of Property Originating in Other States

Section
130.701 General Information on Obtaining a Certificate of Registration
130.705 Procedure in Disputed Cases Involving Financial Responsibility Requirements

SUBPART G: CERTIFICATE OF REGISTRATION

130.710 Procedure When Security Must be Forfeited
130.715 Sub-Certificates of Registration
130.720 Separate Registrations for Different Places of Business of Same Taxpayer Under Some Circumstances
130.725 Display
130.730 Replacement of Certificate
130.735 Certificate Not Transferable
130.740 Certificate Required For Mobile Vending Units
130.745 Revocation of Certificate

SUBPART H: BOOKS AND RECORDS

Section
130.801 General Requirements
130.805 What Records Constitute Minimum Requirement

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

130.810 Records Required to Support Deductions
130.815 Preservation and Retention of Records
130.820 Preservation of Books During Pendency of Assessment Proceedings
130.825 Department Authorization to Destroy Records Sooner Than Would Otherwise be Permissible

SUBPART I: PENALTIES AND INTEREST

Section
130.901 Civil Penalties
130.905 Interest
130.910 Criminal Penalties

SUBPART J: BINDING OPINIONS

Section
130.1001 When Opinions from the Department are Binding

SUBPART K: SELLERS LOCATED ON, OR SHIPPING TO, FEDERAL AREAS

Section
130.1101 Definition of Federal Area
130.1105 When Deliveries on Federal Areas Are Taxable
130.1110 No Distinction Between Deliveries on Federal Areas and Illinois Deliveries Outside Federal Areas

SUBPART L: TIMELY MAILING TREATED AS TIMELY FILING AND PAYING

Section
130.1201 General Information
130.1205 Due Date that Falls on Saturday, Sunday or a Holiday

SUBPART M: LEASED PORTIONS OF LESSOR'S BUSINESS SPACE

Section
130.1301 When Lessee of Premises Must File Return for Leased Department
130.1305 When Lessor of Premises Should File Return for Leased Department
130.1310 Meaning of "Lessor" and "Lessee" in this Regulation

SUBPART N: SALES FOR RESALE

Section
130.1401 Seller's Responsibility to Determine the Character of the Sale at the Time of the Sale
130.1405 Seller's Responsibility to Obtain Certificates of Resale
130.1410 Requirements for Certificates of Resale
130.1415 Resale Number--When Required and How Obtained
130.1420 Blanket Certificate of Resale

SUBPART O: CLAIMS TO RECOVER ERRONEOUSLY PAID TAX

Section
130.1501 Claims for Credit--Limitations--Procedure
130.1505 Disposition of Credit Memoranda by Holders Thereof
130.1510 Refunds

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

NOTICE OF PROPOSED AMENDMENTS

130.1515 Interest

SUBPART P: PROCEDURE TO BE FOLLOWED UPON
SELLING OUT OR DISCONTINUING BUSINESS

- Section
130.1601 When Returns are Required After a Business is Discontinued
130.1605 When Returns Are Not Required After Discontinuation of a Business
130.1610 Cross Reference to Bulk Sales Regulation

SUBPART Q: NOTICE OF SALES OF GOODS IN BULK

- Section
130.1701 General Information

SUBPART R: POWER OF ATTORNEY

- Section
130.1801 When Powers of Attorney May be Given
130.1805 Filing of Power of Attorney With Department
130.1810 Filing of Papers by Agent Under Power of Attorney

SUBPART S: SPECIFIC APPLICATIONS

- Section
130.1901 Addition Agents to Plating Baths
130.1905 Agricultural Producers
130.1910 Antiques, Curios, Art Work, Collectors' Coins, Collectors' Postage
Stamps and Like Articles
130.1915 Auctioneers and Agents
130.1920 Barbers and Beauty Shop Operators
130.1925 Blacksmiths
130.1930 Chiropodists, Osteopaths and Chiropractors
130.1935 Computer Software
130.1940 Construction Contractors and Real Estate Developers
130.1945 Co-operative Associations
130.1950 Dentists
130.1951 Enterprise Zones
130.1955 Farm Chemicals
130.1960 Finance Companies and Other Lending Agencies - Installment Contracts
- Repossessions
130.1965 Florists and Nurserymen
130.1970 Hatcheries
130.1975 Operators of Games of Chance and Their Suppliers
130.1980 Optometrists, Oculists and Opticians
130.1985 Pawnbrokers
130.1990 Peddlers, Hawkers and Itinerant Vendors
130.1995 Personalizing Tangible Personal Property
130.2000 Persons Engaged in the Printing, Graphic Arts or Related Occupa-
tions, and Their Suppliers

130.2005 Persons Engaged in Nonprofit Service Enterprises and in Similar
Enterprises Operated As Businesses, and Suppliers of Such Persons

- 130.2006 Sales by Teacher-Sponsored Student Organizations
130.2007 Exemption Identification Numbers
130.2010 Persons Who Rent or Lease the Use of Tangible Personal Property to
Others
130.2015 Persons Who Repair or Otherwise Service Tangible Personal Property
130.2020 Physicians and Surgeons
130.2025 Picture-Framers
130.2030 Public Amusement Places
130.2035 Registered Pharmacists and Druggists
130.2040 Retailers of Clothing
130.2045 Retailers on Premises of the Illinois State Fair, County Fairs, Art
Shows, Flea Markets and the Like
130.2050 Sales and Gifts By Employers to Employees
130.2055 Sales by Governmental Bodies
130.2060 Sales of Alcoholic Beverages, Motor Fuel and Tobacco Products
130.2065 Sales of Automobiles for Use In Demonstration
130.2070 Sales of Containers, Wrapping and Packing Materials and Related
Products
130.2075 Sales To Construction Contractors, Real Estate Developers and
Speculative Builders
130.2080 Sales to Governmental Bodies
130.2085 Sales to or by Banks and Savings and Loan Associations
130.2090 Sales to Railroad Companies
130.2095 Sellers of Gasohol, Coal, Coke, Fuel Oil and Other Combustibles
130.2100 Sellers of Feeds and Breeding Livestock
130.2105 Sellers of Newspapers, Magazines, Books, Sheet Music and Phonograph
Records and their Suppliers
130.2110 Sellers of Seeds and Fertilizer
130.2115 Sellers of Machinery, Tools and the Like
130.2120 Suppliers of Persons Engaged in Service Occupations and Professions
130.2125 Trading Stamps and Discount Coupons
130.2130 Undertakers and Funeral Directors
130.2135 Vending Machines
130.2140 Vendors of Curtains, Slip Covers, Floor Covering and Other Similar
Items made to Order
130.2145 Vendors of Meals
130.2150 Vendors of Memorial Stones and Monuments
130.2155 Vendors of Signs
130.2156 Vendors of Steam
130.2160 Vendors of Tangible Personal Property Employed for Premiums,
Advertising, Prizes, Etc.
130.2165 Veterinarians
130.2170 Warehousemen

AUTHORITY: Implementing the Illinois Retailers' Occupation Tax Act (Ill.
Rev. Stat. 1987, ch. 120, pars. 440 et seq.) and authorized by Section 39b3
of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127,
par. 39b3).

NOTICE OF PROPOSED AMENDMENTS

SOURCE: Adopted July 1, 1933; amended at 2 Ill. Reg. 50, p. 71, effective December 10, 1978; amended at 3 Ill. Reg. 12, p. 4, effective March 19, 1979; amended at 3 Ill. Reg. 13, pp. 93 and 95, effective March 25, 1979; amended at 3 Ill. Reg. 23, p. 164, effective June 3, 1979; amended at 3 Ill. Reg. 25, p. 229, effective June 17, 1979; amended at 3 Ill. Reg. 44, p. 193, effective October 19, 1979; amended at 3 Ill. Reg. 46, p. 52, effective November 2, 1979; amended at 4 Ill. Reg. 24, pp. 520, 539, 564 and 571, effective June 1, 1980; amended at 5 Ill. Reg. 818, effective January 2, 1981; amended at 5 Ill. Reg. 3014, effective March 11, 1981; amended at 5 Ill. Reg. 12782, effective November 2, 1981; amended at 6 Ill. Reg. 2860, effective March 3, 1982; amended at 6 Ill. Reg. 6780, effective May 24, 1982; codified at 6 Ill. Reg. 8229; recodified at 6 Ill. Reg. 8999; amended at 6 Ill. Reg. 15225, effective December 3, 1982; amended at 7 Ill. Reg. 7990, effective June 15, 1983; amended at 8 Ill. Reg. 5319, effective April 11, 1984; amended at 8 Ill. Reg. 19062, effective September 26, 1984; amended at 10 Ill. Reg. 1937, effective January 10, 1986; amended at 10 Ill. Reg. 12067, effective July 1, 1986; amended at 10 Ill. Reg. 19538, effective November 5, 1986; amended at 10 Ill. Reg. 19772, effective November 5, 1986; amended at 11 Ill. Reg. 4325, effective March 2, 1987; amended at 11 Ill. Reg. 6252, effective March 20, 1987; amended at 11 Ill. Reg. 18284, effective October 27, 1987; amended at 11 Ill. Reg. 18767, effective October 28, 1987; amended at 11 Ill. Reg. 19138, effective October 29, 1987; amended at 11 Ill. Reg. 19696, effective November 23, 1987; amended at 12 Ill. Reg. 5652, effective March 15, 1988; amended at 12 Ill. Reg. 14401, effective September 1, 1988, for a maximum of 150 days, modified in response to an objection of the Joint Committee on Administrative Rules at 12 Ill. Reg. 19531, effective November 4, 1988, not to exceed the 150 day time limit of the original rulemaking; emergency expired January 29, 1989; amended at 13 Ill. Reg. 11824, effective June 29, 1989; amended at 14 Ill. Reg. _____, effective _____.

NOTE: Capitalization denotes statutory language.

Section 130.1935 Computer Software

- a) Software denotes the information loaded into a computer and directions given to the computer as to what it is to do and upon what command. The Illinois Supreme Court has ruled the computer software is an intangible and is therefore exempt from Retailers' Occupation tax. The exemption provided for software extends to the software itself and any media in which it is carried, i.e., punch cards, magnetic tape or printed material which provides the guide for keying the program directly into a computer. This includes documentation, instruction manuals and other material closely associated with the proper utilization of a given program. Computer software means all types of software including operational, application, utilities, compilers, templates, shells and all other forms. Software is considered to be tangible personal property regardless of the form in which it is transferred or transmitted, including tape, disc,

NOTICE OF PROPOSED AMENDMENTS

card, electronic means or other media. The sale at retail or transfer of canned software intended for general or repeated use is taxable, including the sale by a retailer of software which is subject to manufacturer licenses restricting the use or reproduction of the software. Tax applies to the entire charge made to the customer, including charges for all associated documentation and materials. Charges for updates and maintenance of software are considered to be sales of software. Charges for training, telephone assistance, installation and consultation are exempt if they are separately stated from the selling price of software.

- b) ~~The exemption for software does not include any machinery or equipment which utilizes the software or acts to transfer the software between media or between media and equipment. Custom computer programs prepared to the special order of the customer are not subject to tax. Custom computer programs do not include "canned" or prewritten computer programs held for general or repeated sale or lease. Modification of an existing prewritten program to meet the customer's needs is custom computer programming. If modified software is held for general or repeated sale or lease, it is canned software.~~

EXAMPLE: Canned software is purchased with a resale certificate by a programmer who modifies it to meet a customer's specific needs. The transfer to the customer is exempt from tax. If that program, as modified, is sold to other customers without further modification, it is taxable canned software, as are copies or repeat orders of such modified software.

- c) ~~Computer game cartridges and other types of programming similar to musical recordings, audio tapes and video tapes which merely store information which is played or displayed do not qualify for the exemption; the data must be transferred from the data source to the central processing unit of a computer and be capable of being used therein independently from the source. Any data source which is merely read by the equipment with the data not being transferred so that the data may be used independently from the source will not qualify for the exemption. The exemption does not depend upon the form of the program, its media or whether it is specially designed or of a standard production. All software used to operate exempt manufacturing machinery and equipment (see 86 Ill. Adm. Code 130.330) is exempt.~~

- d) ~~If computer software is sold with a computer hardware in a single integrated transaction, the value of the software must be separately stated so as to be readily identifiable; otherwise the entire transaction will be considered to be a taxable transaction.~~

DEPARTMENT OF REVENUE

NOTICE OF PROPOSED AMENDMENTS

(Source: Amended at ___ Ill. Reg. ___, effective ___)

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Cancellation, Revocation or Suspension of Licenses or Permits.
- 2) Code Citation: 92 Ill. Adm. Code 1040
- 3) Section Numbers: Proposed Action
1040.25 New Section
- 4) Statutory Authority: Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 2-104(b)) and Sections 6-100 et seq. and 6-700 et seq. of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-100 et seq.)
- 5) A Complete Description of the Subjects and Issues Involved: This proposed rulemaking establishes the criteria for suspending or revoking a person's driving privileges who operates a motor vehicle without a valid license or permit.
- 6) Will this proposed rulemaking replace an emergency rule currently in effect? No.
- 7) Does this rulemaking contain an automatic repeal date? No.
- 8) Does this proposed rulemaking contain incorporations by reference? No, this amendment does not contain incorporations by reference.
- 9) Are there any other amendments pending on this part?
- 10) Statement of Statewide Policy Objective:

Section Number	Proposed Action	Illinois Register Citation
1040.31	New Section	13 Ill. Reg. 9490 (June 23, 1989)
1040.46	Amendment	13 Ill. Reg. 10216 (June 30, 1989)

- 11) Time, place and manner in which interested persons may comment on this proposed rulemaking: The Secretary of State will fully consider all comments received within 45 days of the date this notice is published. All comments must be in writing and should be sent to:

Nancy Easum
Deputy General Counsel to the Secretary
2701 S. Dirksen Parkway
Springfield, IL 62723
217/782-5356

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENTS

- 12) Initial Regulatory Flexibility Analysis: After careful consideration, the Secretary of State does not feel this proposed rulemaking will affect any types of small businesses and the proposed rule has not been submitted to the Small Business Office of the Department of Commerce and Community Affairs.

The full text of the Proposed Rule begins on the next page:

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1040

CANCELLATION, REVOCATION OR SUSPENSION OF LICENSES OR PERMITS

Section	
1040.10	Court to Forward Licenses and Reports of Convictions
1040.20	Illinois Traffic Offense Table
1040.25	Suspension or Revocation for Driving Without a Valid License
1040.30	3 or More Traffic Offenses Committed Within 12 Months
1040.32	Suspension or Revocation of Licenses or Permits Used Fraudulently
1040.35	Commission of an Offense Requiring Mandatory Revocation Upon Conviction
1040.38	Commission of a Traffic Offense in Another State
1040.40	Repeated Convictions or Collisions
1040.41	Suspension of Licenses for Curfew Violations
1040.42	Fleeing and Eluding
1040.43	Illegal Transportation
1040.46	Fatal Accident and Personal Injury Suspensions
1040.48	Vehicle Emission Suspensions
1040.50	Suspension or Revocation of a License of Commercial Vehicle Driver
1040.60	Release of Information Regarding a Disposition of Court Supervision
1040.65	Offenses Occurring on Military Bases
1040.66	Invalidation of a Restricted Driving Permit
1040.70	National Driver Register
1040.100	Rescissions
1040.101	Reinstatement Fees

AUTHORITY: Implementing Articles II and VII of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-201 et seq. and 6-700 et seq.) and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 2-104(b)).

SOURCE: Filed September 22, 1972; amended at 3 Ill. Reg. 26, p. 282 effective June 30, 1979; amended at 5 Ill. Reg. 3533, effective April 1, 1981; amended at 6 Ill. Reg. 4239, effective April 2, 1982; codified at 6 Ill. Reg. 12674; amended at 8 Ill. Reg. 2200, effective February 1, 1984; amended at 8 Ill. Reg. 3783, effective March 13, 1984; amended at 8 Ill. Reg. 18925, effective September 25, 1984; amended at 8 Ill. Reg. 23385, effective November 21, 1984; amended at 10 Ill. Reg. 15265, effective September 4, 1986; amended at 11 Ill. Reg. 16977, effective October 1, 1987; amended at 11 Ill. Reg. 20659, effective December 8, 1987; amended at 12 Ill. Reg. 2148, effective January 11, 1988; amended at 12 Ill. Reg. 14351, effective September 1, 1988; amended at 12

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

Ill. Reg. 15625, effective September 15, 1988; amended at 12 Ill. Reg. 16153, effective September 15, 1988; amended at 12 Ill. Reg. 16906, effective October 1, 1988; amended at 12 Ill. Reg. 17120, effective October 1, 1988; amended at 13 Ill. Reg. 1593, effective January 23, 1989; amended at 13 Ill. Reg. 5162, effective April 1, 1989; amended at 13 Ill. Reg. 7082, effective May 15, 1989; amended at 13 Ill. Reg. 8659, effective June 1, 1989; amended at 13 Ill. Reg. _____, effective _____; amended at 13 Ill. Reg. _____, effective _____.

Note: Boldface type denotes statutory language.

Section 1040.25 Suspension or Revocation for Driving Without a Valid Driver's License

a) For purposes of this Section, the following definitions shall apply:

"Auto Emissions Suspension" - suspension for failing to have a vehicle tested in accordance with Section 13A-101 et seq. of the Illinois Vehicle Emission Inspection Law (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 13A-101 et seq.).

"Cleared Suspension or Revocation" - a suspension or revocation of driving privileges which has terminated.

"Conviction" - adjudication of guilty as defined in Section 6-100 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-100).

"Curfew Violation Suspension" - suspension when a minor operates a vehicle on a highway during the prescribed hours without an adult or as otherwise provided for in Section 2371 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, par. 2371) in accordance with Section 6-206(a)(13) of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-206(a)(13)).

"Department" - Department of Driver Services within the Office of the Secretary of State.

"Failure to Appear Suspension" - suspension for failing to pay fine or appear in court following the issuance of a traffic ticket.

"Financial Responsibility Suspension" - suspension in accordance with Section 7-304 and/or Section 7-305 of the Illinois Safety Responsibility Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 7-304 and/or 7-305).

"Miscellaneous Suspension" - safety responsibility, financial responsibility, warrant parking/traffic, auto emissions, failure to appear, curfew, or unsatisfied judgment.

ILLINOIS REGISTER

14814

89

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

"Prior Suspension or Revocation" - a suspension or revocation or extension of a suspension or revocation which appears on the driving record.

"Revocation" - the termination by formal action of the Secretary of a person's license or privilege to operate a motor vehicle on the public highways which termination shall not be subject to renewal or restoration except that an application for a new license may be presented and acted upon by the Secretary after expiration of at least one year after the date of revocation as provided for in Section 1040.20 of this Part, and as defined in Section 1-176 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 1-176).

"Safety Responsibility Suspension" - suspension in accordance with Sections 7-205 or 7-208 of the Illinois Safety Responsibility Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 7-205 and 7-208).

"Suspension" - the temporary withdrawal by formal action of the Secretary of a person's license or privilege to operate a motor vehicle on the public highways, for a period specifically designated by the Secretary as provided for in Section 1040.20 of this Part, and as defined in Section 1-204 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 1-204).

"Unsatisfied Judgment Suspension" - suspension in accordance with Section 7-303 or 7-313 of the Illinois Safety Responsibility Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 7-303 and 7-313).

"Valid Driver's License or Permit" - license or permit issued by the Secretary of State which is of the proper classification for the purposes for which it is being used and which has not been invalidated by cancellation, revocation, suspension or use after curfew.

"Warrant Parking/Traffic Suspension" - suspension for arrest warrants issued for failure to pay fines for traffic or parking violations.

b) When considering prior convictions, only convictions for driving without a valid driver's license within seven (7) years of the arrest date of the incoming conviction shall be considered.

c) Only those suspensions or revocations cleared within seven (7) years of the forthcoming suspension's or revocation's effective date shall be considered as prior suspensions or revocations. Cleared miscellaneous suspensions shall not be considered prior suspensions for purposes of this Section.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

- d) Miscellaneous suspensions which have not been cleared shall be counted if the arrest date of the conviction for driving without a valid license occurred after the effective date of the miscellaneous suspension and if the miscellaneous suspension is in full force and effect upon entry of the suspension or revocation for driving without a valid driver's license.
- e) A person shall have his/her driving privileges suspended or revoked by the Department if he/she is convicted of driving without a valid driver's license and has not been issued a valid Illinois driver's license on or prior to the date of conviction for the violation of driving without a valid license.

- f) If a person has no prior suspension(s) or revocation(s) and a conviction for driving without a valid driver's license, the Department shall take action as follows:

TABLE

<u>Convictions</u>	<u>Action</u>
first conviction	two (2) month suspension
second conviction	four (4) month suspension
third conviction	six (6) month suspension
fourth conviction	twelve (12) month suspension
fifth or subsequent convictions	revocation

- g) If a person has one (1) prior suspension or revocation (excluding miscellaneous suspensions) and a conviction for driving without a valid driver's license, the Department shall take action as follows:

TABLE

<u>Convictions</u>	<u>Action</u>
first conviction	four (4) month suspension
second conviction	six (6) month suspension
third conviction	twelve (12) month suspension
fourth or subsequent convictions	revocation

- h) If a person has two (2) prior suspensions or revocations or any combination thereof and a conviction for driving without a valid driver's license, the Department shall take action as follows:

TABLE

<u>Convictions</u>	<u>Action</u>
first conviction	six (6) month suspension
second conviction	twelve (12) month suspension
third or subsequent convictions	revocation

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

- i) If a person has three (3) prior suspensions or revocations or any combination thereof and a conviction for driving without a valid driver's license, the Department shall take action as follows:

TABLE

<u>Convictions</u>	<u>Action</u>
first conviction	twelve (12) month suspension
second or subsequent convictions	revocation

- j) If a person has four (4) or more prior suspensions or revocations or any combination thereof and a conviction for driving without a valid driver's license, the Department shall enter an order of revocation.

- k) If a conviction for driving without a valid driver's license shows an arrest date during a period of revocation which is in effect, the revocation shall be extended for one (1) year from the date of the conviction or one (1) year from the latest projected eligibility date on record whichever is the longer period of time. If a conviction for driving without a valid driver's license shows an arrest date during a period of suspension (excluding all miscellaneous suspensions except curfew) which is still in effect, the suspension shall be extended the same amount of time as the originally imposed suspension in accordance with Section 6-303 of the Illinois Driver Licensing Law (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-303).

- l) If a person has a miscellaneous suspension (excluding curfew suspensions) which is in effect, has no prior suspensions or revocations and a conviction for driving without a valid driver's license, with an arrest date during the miscellaneous suspension, the Department shall take action as follows:

TABLE

<u>Conviction</u>	<u>Action</u>
first conviction	four (4) month suspension
second conviction	six (6) month suspension
third conviction	twelve (12) month suspension
fourth and subsequent convictions	revocation

- m) If a person has a miscellaneous suspension (excluding curfew suspensions) which is in effect, has one (1) prior suspension or revocation and a conviction for driving without a valid driver's license, with an arrest date during the miscellaneous suspension, the Department shall take action as follows:

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

TABLEConviction

first conviction
second conviction
third or subsequent convictions

Action

six (6) month suspension
twelve (12) month suspension
revocation

- n) If a person has a miscellaneous suspension (excluding curfew suspensions) which is in effect, has two (2) prior suspensions or revocations or any combination thereof and a conviction for driving without a valid driver's license, with an arrest date during the miscellaneous suspension, the Department shall take action as follows:

TABLEConviction

first conviction
second or subsequent convictions

Action

twelve (12) month suspension
revocation

- o) If a person has a miscellaneous suspension (excluding curfew suspensions) which is in effect, has three (3) or more prior suspensions or revocations or any combination thereof and a conviction for driving without a valid driver's license, with an arrest date during the miscellaneous suspension, the Department shall enter an order of revocation.

- p) If a person has a suspension in effect pursuant to Section 6-206(a)19 or Section 6-206(a)6 of the Illinois Driver Licensing Law (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-206(a)19 and 6-206(a)6)) and receives a subsequent conviction for driving without a valid driver's license, the suspension shall be amended in accordance with the guidelines of this Section.

(Source: Added at 13 Ill. Reg. _____, effective _____)

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Dealers, Wreckers, Transporters and Rebuilders
 - 2) Code Citation: 92 Ill. Adm. Code 1020
 - 3) Section Numbers: 1020.10
Proposed Action: Amendment
 - 4) Statutory Authority: Implementing Chapter 5 and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 5-100 et seq. and 2-104(b))
 - 5) A Complete Description of the Subjects and Issues Involved: This rulemaking simply reduces the fee to operate in a trade show or exhibition from \$25.00 to \$10.00
 - 6) Will these proposed amendments replace an emergency rule currently in effect? No
 - 7) Does this rulemaking contain an automatic repeal date? No
 - 8) Do these proposed amendments contain incorporations by reference? No
 - 9) Are there any other proposed amendments pending on this Part? Yes
- | | | |
|-------------------------|------------------------|-----------------------------------|
| <u>Sections Numbers</u> | <u>Proposed Action</u> | <u>Illinois Register Citation</u> |
| 1020.60 | New Section | 13 Ill. Reg. 5665 |
- 10) Statement of Statewide Policy Objectives: This rulemaking will have no effect on local units of government.
 - 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Robert B. Powers
Assistant Counsel to the Secretary
298 Centennial Building
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- 12) Initial Regulatory Flexibility Analysis: After careful consideration, the Secretary does not feel that this rulemaking will have any effect on small businesses and so it was not submitted to the Small Business Office of the Department of Commerce and Community Affairs.

The full text of the Proposed Rules begins on the next page:

NOTICE OF PROPOSED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1020

DEALERS, WRECKERS, TRANSPORTERS AND REBUILDERS

Section

1020.10 Dealers Established Place of Business

1020.20 Required Records For Automotive Parts Recyclers and Rebuilders, New Vehicle Dealers, Used Vehicle Dealers, Repairers and Out-of-State Salvage Vehicle Buyers

1020.40 Inspection of Licensees Records and Premises

1020.50 Consignment Sales by Dealers

AUTHORITY: Implementing Chapter 5 and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, pars. 5-100 et seq. and 2-104(b)).

SOURCE: Filed March 5, 1975; amended at 2 Ill. Reg. 33, p. 144, effective August 8, 1978; amended at 5 Ill. Reg. 3835, effective March 27, 1981; codified at 6 Ill. Reg. 12674; amended at 7 Ill. Reg. 5260, effective April 4, 1983; amended at 8 Ill. Reg. 14657, effective August 1, 1984; amended at 8 Ill. Reg. 22884, effective November 16, 1984; amended at 12 Ill. Reg. 13612, effective August 15, 1988; amended at 12 Ill. Reg. 17962, effective November 1, 1988; amended at 13 Ill. Reg. _____, effective _____.

Section 1020.10 Dealers Established Place of Business

- a) Each person seeking to be or already duly licensed as a new or used vehicle dealer under the Illinois Vehicle Code (I.V.C.) (Ill. Rev. Stat. 1987, ch. 95½, pars. 1-1 et seq.) shall maintain an established place of business which shall, in addition to those requirements in Section 5-100 of the I.V.C., meet the following requirements:

- 1) Have office facilities in a building for maintaining and keeping books and records as are required. The office facilities shall be permanently mounted on a fixed foundation and may not include a trailer with axle attached and still moveable. It may include, however, an office trailer or house trailer in a licensed mobile home park or dealership lot with tires removed and utilities attached.
- 2) Be properly and permanently equipped with the necessary office equipment and machines, and documents and papers

NOTICE OF PROPOSED AMENDMENT(S)

adequate to properly conduct business as a dealer and must be within a permanent building or structure as required in subsection (a)(1) above.

- 3) Be equipped with an operating telephone for inbound and outbound calls and have the business telephone number published in the telephone directory generally available in the dealership area, and adequately equipped with operating electric lights.
- 4) Have the name of the dealership posted on the front entrance door.
- 5) Have posted on the front entrance door a sign setting forth the days and regular and reasonable hours when open for business. A dealership shall not be deemed as being open for business unless at least one employee, who is able to conduct regular business, is on the premises and available to the public and the dealership must be operated consistent with general dealer practices. The dealership must be open for business at least five (5) days out of each seven (7) days in a week, and a minimum of four (4) hours consecutive per day. However, dealers who operate their dealerships less than 12 months shall state in the license application those months in which the dealership is closed and shall not be required to maintain regular business hours during the period of closure. The months of closure shall also be posted in a prominent place for the public to see in the dealership office.
- 6) Maintain a lot, being the area not occupied by a building, which shall be surfaced with rock or better surface material, and which shall be properly illuminated, if open after sundown, so that vehicles for sale can be properly inspected by any prospective customer.

- A) The lot used for sale of vehicles shall be separate and apart from any other business. In addition, where a dealer is selling both new and used cars, the new cars shall be parked separately and apart from used cars.

- B) The above lot requirement shall not be applicable where the place of business has an indoor showroom, properly illuminated, for the display of vehicles held for sale.

SECRETARY OF STATE

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

NOTICE OF PROPOSED AMENDMENT(S)

C) The separate lot requirement specified in subsection (a)(6)(A) above shall not prohibit the operation by the dealer of other businesses on the same premises, which shall include the lot, provided that the businesses are reasonably related to the sale or operation of new or used automobiles, provided further that the sale of new or used automobiles shall constitute at least 50% of the gross revenues of the licensed holder, and the sale of automobiles shall be the primary business of the licensed dealer. No business defined as reasonably related to the sale of automobiles under this Section shall exceed 50% of the gross revenue of the business entities using the lot. Businesses reasonably related to the sale or operation of automobiles shall include only the sale of automobile parts and accessories, the sale of gasoline, diesel fuel, oil and lubricant, the sale of automobile tires, the leasing of automobiles, insuring automobiles and the financing of automobiles sold by the licensed dealers engaged in these businesses. Licensed dealers engaged in operating businesses other than those stated herein shall remove such businesses or modify them to comply with this rule within 60 days of notification by the Secretary of State, or be subject to the revocation or suspension of their dealers license.

7) Dealership in a Department Store - Where a dealer maintains a place of business within a department store, the dealership shall be separated from other operations within the department store.

8) Sign - Display a permanent sign bearing the name of the dealership which shall be properly illuminated if open after sundown and which shall be visible from the highway leading to the established place of business.

9) Display a federally required pricing document on all new motor vehicles held for sale.

10) If the premises are leased, such lease must be for at least the duration of the current licensed period.

b) Supplemental Lots

An Illinois licensed dealer may operate as an additional place of

business a permanent supplemental lot which will meet all the requirements of subsections (a)(1) through (a)(10) of this Section, except the records required to be kept shall be maintained at the principal place of business of the dealership, as defined by Section 1-164 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, par. 1-164), unless the supplemental lot is more than one mile from the main dealerships. The one mile shall be measured by the most direct road between the dealership and the supplemental lot.

1) A licensed dealer shall apply for the supplemental lot authorization when he/she files the application required by Sections 5-101 or 5-102 of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, pars. 5-101 and 5-102) or he/she may file an application to add a supplemental lot during the license period.

2) The fee for a license to operate a supplemental lot is \$25 or \$12.50 as provided in Sections 5-101(b)(7) and 5-102(b)(5) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, pars. 5-101(b)(7) and 5-102(b)(5)).

3) No vehicle sales at supplemental lots shall be allowed on Sundays except as provided for in Section 5-106 of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, par. 5-106).

c) Trade Showing or Exhibition

An Illinois licensed dealer may operate as an additional place of business an exhibition area in a trade show or exhibition, provided:

1) The licensed dealer has a currently valid new or used vehicle dealer license issued by the Secretary of State.

2) The licensed dealer has provided the Secretary of State with a copy of the written contract with the agency or person or other entity sponsoring, creating or supervising the trade show or exhibition for which application is made, or a letter from the show sponsor stating the duration of the trade show or exhibition, and an application for the trade show or exhibition supplemental license containing the name of the dealership, its license number, the location and

ILLINOIS REGISTER

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT(S)

dates of the trade shows or exhibitions, and signed by the licensed dealer.

- 3) A permit for an additional location granted for a trade show or exhibition shall in no event be valid for more than thirty (30) days from the date of the first day of the trade show or exhibition for which it is granted.
- 4) The requirements of subsections (a)(1) through (a)(7) of this Section shall not be required in granting a licensed dealer a permit for an additional place of business in a trade show or exhibition, where the requirements are inapplicable to the trade show or exhibition.

- 5) No permit granted for an additional location in a trade show or exhibition may be transferred or removed to another location.

- 6) The fee for a permit to operate in a trade show or exhibition shall be \$25-00 10.00 per permit.

- 7) Regardless of the dates of the trade show or exhibition, no vehicle sales will be allowed on Sundays except as provided for in Section 5-106 of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, par. 5-106).

- d) Each person seeking to be or already duly licensed as a scrap processor, automotive parts recycler, rebuildier, repairer or out of state salvage buyer under the I.V.C. shall maintain an established place of business which shall meet the requirements contained in subsection (a) above, except that no lot as set forth in subsection (a)(6) above is required. However, if open after sundown, the premises shall be adequately illuminated so that prospective purchasers may inspect the items held for sale.

- e) None of the requirements of this Section shall apply to the place of business of a vehicle auctioneer licensed under Chapter 5, Article VII of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, pars. 5-700 et seq.).

(Source: Amended at 13 Ill. Reg. _____, effective _____)

ILLINOIS REGISTER

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Revised Uniform Limited Partnership Act

- 2) Code Citation: 14 Ill. Adm. Code 170

- 3) Section Numbers: Proposed Action:
170.20 New Section

- 4) Statutory Authority: Implementing and authorized by the Revised Uniform Limited Partnership Act (RULPA) (Ill. Rev. Stat. 1987, ch. 106 1/2, pars. 151-2 et seq.). In particular Sections 202(a)(9) and 1103 of the RULPA gives the Secretary of State authority to promulgate these amendments.

- 5) A Complete Description of the Subjects and Issues Involved:

This amendatory rulemaking clarifies the filing requirements of the general partners in a limited partnership. The general partners who are not individuals must be in good standing as corporations or limited partnerships in Illinois or their home state prior to filing limited partnership documents in Illinois.

- 6) Will these proposed amendments replace an emergency rule currently in effect? No

- 7) Does this rulemaking contain an automatic repeal date? No

- 8) Do these proposed amendments contain incorporations by reference? No

- 9) Are there any other proposed amendments pending on this Part? No

- 10) Statement of Statewide Policy Objectives: Not applicable

- 11) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Philip S. Howe
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- 12) Initial Regulatory Flexibility Analysis:

- A) Date rule was submitted to the Small Business Assistance Office of the Department of Commerce and Community Affairs:

This rule was not submitted because small businesses do not use limited partnerships as a revenue-raising mechanism.

SECRETARY OF STATE

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

NOTICE OF PROPOSED AMENDMENT

B) Types of small businesses affected:

The limited partnerships which use the RULPA to raise financing for projects and investments are not small businesses because of the amount of the offerings.

C) Reporting, bookkeeping or other procedures required for compliance:

None are needed for this rulemaking amendment.

D) Types of professional skills necessary for compliance:

None needed

The full text of the Proposed Rules begins on the next page:

TITLE 14: COMMERCE

SUBTITLE A: REGULATION OF BUSINESS

CHAPTER I: SECRETARY OF STATE

PART 170

REVISED UNIFORM LIMITED PARTNERSHIP ACT

Section	
170.10	Definitions
170.11	Filing Locations
170.12	Business Hours
170.13	Fees
170.14	Service of Process
170.15	Additional Requirements for Forms
170.16	Assumed Names
170.17	Sale of Information
170.20	Filing Requirements

AUTHORITY: Implementing and authorized by the Revised Uniform Limited Partnership Act (Ill. Rev. Stat. 1987, ch. 106½, pars. 151-2 et seq.).

SOURCE: Adopted at 11 Ill. Reg. 10314, effective July 1, 1987; amended at 13 Ill. Reg. _____, effective _____.

Section 170.20 Filing Requirements

a) Corporations serving as general partners in limited partnerships or foreign limited partnerships must comply with the following:

1) a domestic corporation shall be in good standing in Illinois and the partnership registration application shall be executed by a corporate officer.

2) a foreign corporation qualified in Illinois shall be in good standing in Illinois and the partnership registration application shall be executed by a corporate officer.

3) a foreign corporation not qualified in Illinois shall be in good standing in its state of formation and provide a certificate of good standing of such state or jurisdiction to that effect with the partnership registration application which shall be executed by a corporate officer.

b) Limited partnerships serving as general partners in limited partnerships or foreign limited partnerships must comply with the following:

NOTICE OF PROPOSED AMENDMENT

- 1) a domestic limited partnership must be in good standing in Illinois and the partnership registration application shall be executed by a general partner.
- 2) a foreign limited partnership qualified in Illinois shall be in good standing in Illinois and the partnership registration application shall be executed by a general partner.
- 3) a foreign limited partnership not qualified in Illinois shall be in good standing in its state or jurisdiction of formation and provide a certificate to that effect of such state or jurisdiction with the partnership registration application which shall be executed by a general partner.

(Source: Added at ____ Ill. Reg. _____, effective _____)

NOTICE OF ADOPTED RULES

1) The Heading of the Part: LICENSING STANDARDS FOR GROUP DAY CARE HOMES2) Code Citation: 89 Ill. Adm. Code 4083) Section Numbers: Adopted Action

Section 408.1 All new sections

Section 408.5

Section 408.10

Section 408.15

Section 408.20

Section 408.25

Section 408.30

Section 408.35

Section 408.40

Section 408.45

Section 408.50

Section 408.55

Section 408.60

Section 408.65

Section 408.70

Section 408.75

Section 408.80

Section 408.85

Section 408.90

Section 408.95

Section 408.100

Section 408.105

Section 408.110

Section 408.115

Section 408.120

Section 408.125

Section 408.130

Section 408.135

Appendix A

Appendix B

Appendix C

Appendix D

- 4) Statutory Authority: The Child Care Act of 1969 (Ill. Rev. Stat. 1987, ch. 23, pars. 2211 et seq.); Section 3 of the Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1987, ch. 23, par. 2053); and Sections 821 and 822 of the Smoke Detector Act (Ill. Rev. Stat. 1987, ch. 127½, pars. 821 and 822).

- 5) Effective Date of the rules: October 1, 1989

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

At the end of Section 408.30(o), a new last sentence was added to read:
"The alphabetic card file required by subsection 408.120(c) shall accompany the caregiver during the drills."

A new Section 408.30(d) was inserted to read:

- d) An individual requesting an opportunity for review pursuant to subsection (c) above shall submit such requests, in writing, to the Department or the child care facility, as applicable, within ten (10) days of receipt of written notice of the Department's intent to deny a license or the Department's or child care facility's intent to deny employment. The individual shall be notified, in writing, of the date, time and location of the review. The individual may be represented by counsel of his or her choice, and may present evidence and/or witness(es) on his or her behalf. The individual shall be required to produce evidence that he or she is not the individual identified in the court finding, criminal conviction or civil judgement the Department has relied up in making the identification. Evidence to be considered shall be limited to:

- 1) Fingerprints processed through the U.S. Justice Department and the Illinois Department of State Police indicating an absence of a conviction arising from child abuse or neglect identified in subsection (a) above; or
- 2) Sworn statements from the law enforcement agency or clerk of the court upon whom the Department has relied for the identification, that the subject of the report provided to the Department is not the individual seeking licensure or employment.

Section 408.45(e) was revised to read: "A current credential as a Child Development Associate. (Assessment for credential done locally. For information contact: Council for Early Childhood Professional Recognition, 1718 Connecticut Avenue, N.W. -- Suite 500, Washington, D.C. 20009.)"

New Section 408.50(c) was inserted to read: "An assistant 18 years of age or older may accompany child(ren) in activity within outdoor space as described in subsection 408.30(j). When appropriately licensed, such an assistant may transport child(ren) alone with the approval of the caregiver."

Section 408.60(a) was amended to state: "Child(ren) served in a day care facility shall not remain on the premises for more than 12 hours

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

6) Does this rulemaking contain an automatic repeal date: Yes ☐ No ☒
If so, please specify date:

7) Do the rules contain incorporations by reference? No
If "yes," was a copy of the approval form issued by JCAR attached to this rulemaking?

8) Date Filed in Agency's Principal Office: August 31, 1989

9) Notice(s) of Proposal Published in Illinois Register:

September 2, 1988, 12 Ill. Reg. 13757
(issue date)

10) Has JCAR issued a Statement of Objections to this (these) rule(s)? Yes
If answer is "yes," please complete the following:

A) Statement of Objection: August 18, 1989, 13 Ill. Reg. 13277
(issue date)

B) Agency Response: September 22, 1989, 13 Ill. Reg. 15123
(issue date)

C) Date Agency Response Submitted for Approval to JCAR: August 30, 1989

11) Difference(s) between proposal and final version:

In Section 408.30(a)(2), "rated IA20BC by a national testing laboratory" was added after "fire extinguisher."

The following text was added to Section 408.30(a)(4): "For purposes of this rule 'substantial remodeling' includes but is not limited to any addition which represents more than ten percent of the square footage of the group day care home, replacement of interior walls or ceiling(s), or rewiring of the group day care home."

Section 408.30(a)(7) was revised to read: "In one and two-family dwellings, infants and toddlers shall be housed and cared for on the second floor or below. In other residential buildings, infants and toddlers shall be housed and cared for only in areas which the Office of the State Fire Marshal or local fire inspector states, in writing, that the combination of remote exits, fire detection, fire suppression and/or automatic sprinkler systems render the residence safe for the care of infants and toddlers."

New Section 408.30(a)(8) was inserted to read: "No areas accessible only by a ladder or folding stairs or through a trap door shall be used for sleeping or napping."

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

in any 24 hour period unless extra hours of day care are required by the parent's/guardian's work schedules. The caregiver shall maintain a written record of occasions when child(ren) remain in the home in excess of 12 hours. At no time shall children cared for in a day care facility remain on the premises for 24 consecutive hours."

In Section 408.65, a new (c) was inserted to read: Twelve (12) children between 3 and 6 years of age may be cared for by a caregiver and an assistant eighteen (18) years of age or older. The assistant must be present when more than six (6) such children are present. Proposed Section 408.65(c) was re-lettered (d) and the second sentence was revised to read: "At other times (including holidays, vacations and weekends) such children shall be supervised by a caregiver and an assistant eighteen (18) years of age or older whenever that number exceeds eight (8)."

In Section 408.90(c), a new last sentence was added to read: "This requirement shall not apply to a child for whom a physician had certified in writing, that the child has a physical handicap which prevents wearing an appropriate restraint device."

In Section 408.95, a new (c) was inserted to read: "Child(ren) shall be permitted to use swimming pool only under the direct supervision of a person currently certified as a water safety instructor or lifeguard by the American Red Cross or an equivalent water safety program." Proposed Section 408.95(c) was re-lettered as (b).

Various statutory citations, editing and format changes were made upon recommendation of the Administrative Code Division and the Joint Committee on Administrative Rules.

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these rules replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No

- | Section Numbers | Proposed Action | Illinois Register Citation |
|-----------------|---|----------------------------|
| 15) | Summary and Purpose of Rules: The Department is adopting licensing standards for "Group Day Care Homes" -- a type of child care facility providing care for 3 to 12 children in a family home for less than 24 hours per day. These standards apply to children under 12 years of age. In addition to prescribing procedures for applying for a license, these standards set requirements for fire safety and sanitation; physical space and equipment; admission and discharge procedures; food service and nutrition; health care; adult-to-child ratios; | |

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

qualifications of caregivers; transportation of children; activity (program); and records and reports to be maintained by the facility.

- 16) Information and questions regarding these Rules shall be directed to:

Name: Jacqueline Nottingham, Chief
Address: Office of Rules and Procedures
 Department of Children and Family Services
 406 East Monroe
 Springfield, Illinois 62701-1498
Telephone: 217/785-2592

The full text of the adopted Rules begins on the next page:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

TITLE 89: SOCIAL SERVICES
CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES
SUBCHAPTER e: REQUIREMENTS FOR LICENSURE

PART 408
LICENSING STANDARDS FOR GROUP DAY CARE HOMES

- Section
408.1 Purpose
408.5 Definitions
408.10 Application For License
408.15 Application for Renewal of License
408.20 Provisions Pertaining to the License
408.25 Provisions Pertaining to Permits
408.30 General Requirements for Group Day Care Homes
408.35 General Requirements for Group Day Care Home Family
408.40 Background Checks
408.45 Caregiver(s)
408.50 Child Care Assistant(s)
408.55 Substitute(s)
408.60 Admission and Discharge Procedures
408.65 Number of Children Served
408.70 Health and Medical Care
408.75 Discipline of Children
408.80 Nutrition and Meals
408.85 Program
408.90 Transportation of Children
408.95 Swimming
408.100 Children with Special Needs
408.105 Infants and Toddlers
408.110 School Age Children
408.115 Night Care
408.120 Records and Reports
408.125 Confidentiality of Records and Information
408.130 Cooperation with the Department
408.135 Severability of This Part
APPENDIX A Meal Pattern Chart for Children 0 to 12 Months of Age
APPENDIX B Meal Pattern Chart for Children Over One Year of Age
APPENDIX C Minimum Equipment and Supplies - Preschool Programs
APPENDIX D Minimum Equipment and Supplies - Infant and Toddler Programs
- AUTHORITY: Implementing and authorized by The Child Care Act of 1969 (Ill. Rev. Stat. 1987, ch. 23, pars. 2211 et seq.), Section 3 of the Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1987, ch. 23, par. 2053), and Sections 821 and 822 of "AN ACT to require the installation and maintenance of smoke detectors in certain facilities" (Ill. Rev. Stat. 1987, ch. 127 1/2, pars. 821 and 822).

SOURCE: Adopted at 13 Ill. Reg. 14828, effective

ILLINOIS REGISTER

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

October 1, 1989

Section 408.1 Purpose

- a) The purpose of this Part is to prescribe the standards for licensure as a group day care home and to describe how to apply for a license.
b) The licensing standards set forth in this Part are applicable to group day care homes as defined in the Child Care Act of 1969 (the Act) (Ill. Rev. Stat. 1987, ch. 23, pars. 2211 et seq.).

Section 408.5 Definitions

"Accredited" means accredited by the North Central Association of Schools and Colleges, its regional counterparts, or the National Accreditation Council.

"Adult," as used in this Part, means a person eighteen (18) years of age or older.

"Approved smoke detector" or "detector" means a smoke detector of the ionization or photoelectric type which complies with all the requirements of the rules and regulations of the Office of the State Fire Marshal.

"Attendance" means the total number of children under the age of 12 present at any one time.

"Authorized representative of the Department" means the licensing representative or any person acting on behalf of the Director of the Department.

"Caregiver" means the individual directly responsible for child care.

"Child" means any person under 18 years of age.

"Child care facility" means any person, group of persons, agency, association, or organization, which arranges for care or cares for children unrelated to the operator of the facility, apart from the parents in any facility as defined in the Child Care Act of 1969. Child care facilities may be established for profit or not-for-profit. "Child care facility" is further defined in Section 2.05 in The Child Care Act of 1969.

"Children with special needs" means child(ren) exhibit one or more of the following characteristics which is confirmed by clinical evaluation:

"Visual impairment": the child's visual impairment is such that development to his or her potential without special services

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

cannot be achieved.

"Hearing impairment": the child's residual hearing is not sufficient to enable him or her to understand the spoken word and to develop language, thus causing extreme deprivation in learning and communication, or a hearing loss is exhibited which prevents full awareness of environmental sounds and spoken language, limiting normal language acquisition and learning.

"Physical or health impairment": the child exhibits a physical or health impairment which requires adaptation of the physical plant.

"Speech and/or language impairment": the child exhibits deviations of speech and/or language processes which are outside the range of acceptable variation within a given environment and which prevent full social development.

"Learning disability": the child exhibits one or more deficits in the essential processes of perception, conceptualization, language, memory, attention, impulse control or motor function.

"Behavioral disability": the child exhibits an effective disability and/or maladaptive behavior which significantly interferes with learning and/or social functioning.

"Mental impairment": the child's intellectual development, mental capacity, and/or adaptive behavior are markedly delayed. Such mental impairment may be mild, moderate, severe or profound.

"Department" means the *Illinois Department of Children and Family Services*.

"Discipline" means the process of helping child(ren) to develop inner controls so that they can manage their own behavior in socially acceptable ways.

"Group day care home" means a family home which receives more than 3 up to 12 children for less than 24 hours per day. The number counted includes the family's natural or adopted children under the age of 12.

"Guardian" means the guardian of the person of a minor.

"Infant," as used in this Part, means a child between 6 weeks and 15 months of age.

"License" means a document issued by the Department of Children and Family Services which authorizes child care facilities to operate in accordance with applicable standards and the provisions of the Child

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

Care Act of 1969.

"License study," as used in this Part, means the review of an application for license, on-site visit(s), interviews, and the collection and review of supporting documents to determine compliance with The Child Care Act of 1969 and the standards prescribed by this Part.

"Licensed capacity" means the maximum number of day care children under age 12 permitted in the group day care home at any one time.

"Licensing representative" for the purposes of this Part, means those Department staff or other persons authorized under Section 5 of The Child Care Act of 1969 to examine facilities for licensure.

"Parent(s)," as used in this Part, means those person(s) assuming legal responsibility for care and protection of the child on a 24-hour basis; includes guardian or legal custodian.

"Permit," as used in this Part, means a one-time only document issued by the Department of Children and Family Services for a six-month period to allow the individual(s) to become eligible for a license.

"Physician" means a person licensed to practice medicine in the State of Illinois.

"Program" means all activities provided for the child(ren) during their hours of attendance in the home.

"Related" means any of the following relationships by blood, marriage, or adoption: parent, grandparent, great-grandparent, great-uncle, great-aunt, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, nephew, niece, or first cousin.

"Resource personnel" means physicians, nurses, psychologists, social workers, speech therapists, physical and occupational therapists, educators and other technical and professional persons whose expertise is utilized in providing specialized services to child(ren) with special needs.

"School age" means child(ren) six (6) years of age or older.

"Swimming pool," for purposes of this Part, means any natural or artificial basin of water intended for public swimming or recreational bathing which exceeds two feet six inches (2'6") in depth. The term includes bathing beaches and pools at private residences when used for children enrolled in a child care facility.

"Toddler" means a child from 15 months to 2 years of age. The term

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

may include child(ren) up to 30 months of age depending upon physical or social development.

"Wading pool," for purposes of this Part, means any natural or artificial basin of water less than two feet six inches (2'6") in depth which is intended for recreational bathing, water play or similar activity. The term includes recessed areas less than two feet six inches in depth in swimming pools which are designated primarily for children.

Section 408.10 Application For License

- a) Application for license as a group day care home shall be completed, signed by the group day care home applicant(s), and filed with the Department of Children and Family Services on forms prescribed and provided by the Department.
- b) Applicant(s) shall provide the Department the names, addresses and telephone numbers of at least three (3) adults not related to them who can attest to their character and suitability to provide child care.
- c) The license shall be issued when the standards prescribed by this Part have been met. Upon receipt of an application for a license, the Department shall conduct a license study in order to determine that the group day care home meets licensing standards. The licensing study shall be in writing and shall be reviewed and signed by the licensing supervisor and the licensing representative performing the study. The applicant shall receive a copy of the license study on written request and payment of copying costs.
- d) A new application shall be filed when any of the following occurs:
 - 1) When an application for a license has been withdrawn, and the applicant or licensee seeks to reapply; or
 - 2) When there is a change in the name of the licensee or the address of the group day care home; or
 - 3) When there is a change in the status of joint licensees, such as separation, divorce or death; or
 - 4) When the Department has revoked or refused to renew a license and a new license is sought.
- e) Approval of the Department is required to effect changes in the license capacity, the area of the home used for child care, or the ages of children served in conformance with the requirements of Section 408.65.

Section 408.15 Application for Renewal of License

- a) Application forms for license renewal shall be mailed to group day care home licensees by the Department three months prior to the expiration date of the license.
- b) The completed application shall be signed by the licensee(s) and submitted to the Department no later than 30 days from the date mailed to licensee(s) to be considered timely and sufficient.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- c) When a licensed group day care home seeks to change its name or address, a new application reflecting the change(s) must be completed, signed by the licensee(s) and submitted to the Department thirty days prior to the effective date of the change(s) for the application to be considered timely and sufficient.
- d) When a licensee has made timely and sufficient application for renewal of a license or a new license with reference to any activity of a continuing nature and the Department fails to render a decision on the application for renewal of the license prior to the expiration date of the license, the existing license shall continue in full force and effect for up to thirty (30) days until the final Department decision has been made. Upon a showing of good cause by the licensee or the Department, the Department shall further extend the period in which such decision must be made in individual cases for up to 30 days (Section 5 of the Act). "Good cause" includes but is not limited to shortages of staff or the absence of the licensee(s) from the group day care home. Both the request for the second extension and the Department's decision on that request shall be in writing.
- e) Upon receipt of the application for license renewal, the Department shall conduct a license study in order to determine that the group day care home continues to meet licensing standards. The licensing study shall be in writing and shall be reviewed and signed by the licensing supervisor and the licensing representative performing the study. The licensee(s), shall receive a copy of the license study upon written request and payment of copying costs.

Section 408.20 Provisions Pertaining to the License

- a) The licensee(s) shall be a primary caregiver or caregivers who meet the requirements of this Part. Further, the licensee(s) shall be either an individual or a man and woman married to each other.
- b) A group day care home license is valid for 2 years unless revoked by the Department or voluntarily surrendered by the licensee.
- c) The number of children cared for in the group day care home at any one time shall not exceed the license capacity.
- d) The age limits specified on the license shall be observed.
- e) Child care may be provided only in those areas specified on the license.
- f) The license is valid only for the family residence of the licensee and shall not be transferred to another person.
- g) The license shall not be valid for a name or an address other than the name and address on the license.
- h) The license shall be prominently displayed in the home.
- i) There shall be no fee or charge for the license.

Section 408.25 Provisions Pertaining to Permits

- a) A permit shall not be issued until:
 - 1) The application for license has been completed and signed by the

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- 2) applicant(s) and submitted to the Department; the background checks required by Section 408.40 have been completed;
- 3) Character references have been requested regarding the primary caregiver(s), and at least two favorable references have been received;
- 4) A personal visit to the home by a licensing representative has been completed. The purpose of this visit is to determine compliance with all the licensing requirements except the requirements for remaining character reference(s) and well water tests compliance which may be complied with within the six month period covered by the permit. However, when well water tests are required, applicants must agree to boil all drinking and cooking water and to provide only bottled water for infants until the test results are received;
- 5) proof of public liability insurance as required by Section 408.35(h) (such proof may consist of, but is not limited to, a copy of an insurance policy, binder or certificate; or a letter from the insurance carrier);
- 6) Plan developed for emergency medical care as required by Section 408.70;
- 7) Furnishings and equipment have been acquired for the number of children to be served during the six month permit period in accordance with Appendix C and D;
- 8) Medical reports and character references are on file at the home for employed staff; and
- 9) A written plan has been submitted to the licensing representative which indicates that requirements for a license shall be met within the six month permit period.
- b) A permit shall not be issued retroactively.
- c) A permit shall not be transferred to another person or organization.
- d) A permit shall not be valid for a name or address different from the name and address shown on the issued permit.
- e) A permit shall not be renewable.
- f) A current permit shall be available in the group day care home at all times that the permit is valid.
- g) A license shall be issued at any time within the six month period covered by the permit provided that the group day care home achieves compliance with the Department's licensing standards.
- h) The group day care home shall adhere to the provisions or restrictions specified on the permit.
- i) The group day care home shall not begin operations until issuance of a permit has been recommended, in writing, by the licensing representative and supervisor.
- j) There shall be no fee or charge for the permit.

Section 408.30 General Requirements for Group Day Care Homes

- a) The physical facilities of the home, both indoors and outdoors, shall

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

meet the following requirements for safety to child(ren).

- 1) The home shall have a first aid kit consisting of band-aids, sterile gauze pads, adhesive tape, tweezers, first aid cream and mild soap.
- 2) The kitchen shall be equipped with an operable fire extinguisher rated 1A:20BC by a national testing laboratory.
- 3) Electrical outlets that are within reach of child(ren) under five years of age shall have protective coverings. There shall be no exposed or uninsulated wiring.
- 4) The home shall be equipped with a minimum of one approved smoke detector on every floor level, including an attic and basement. A smoke detector in operating condition shall be within fifteen (15) feet of rooms where child(ren) nap or sleep. The detector shall be installed on the ceiling and at least 6 inches from any wall, or on a wall located between 4 and 6 inches from the ceiling. Further, in any facility constructed after December 31, 1987, or which undergoes substantial remodeling of its structure or wiring system after that date, the smoke detector(s) shall be permanently wired into the structure's AC power line, and, if more than one detector is required to be installed, the detectors shall be wired so that the activation of one detector will activate all the detectors in the facility (Section 2 of "AN ACT to require the installation and maintenance of smoke detectors in certain facilities" (Ill. Rev. Stat. 1987, ch. 127 1/2, par. 822)). For purposes of this rule, "substantial remodeling" includes but is not limited to any addition which represents more than ten percent of the square footage of the group day care home, replacement of interior walls or ceiling(s), or rewiring of the group day care home.
- 5) Space heaters, fireplaces, radiators, and other heating sources in areas occupied by children shall be separated by partitions or a sturdy barrier to prevent contact.
- 6) A facility in which a wood-burning stove or fireplace has been installed shall furnish a written statement from a building inspector, heating and ventilating contractor, local fire inspector or the Office of the State Fire Marshal, certifying its safety upon installation. In addition, the Department shall require such a certification of safety for any heating installation, appliance or device it has reason to believe to be unsafe.
- 7) In one and two-family dwellings, infants and toddlers shall be housed and cared for on the second floor or below. In other residential buildings, infants and toddlers shall be housed and cared for only in areas which the Office of the State Fire Marshal or local fire inspector states, in writing, that the combination of remote exits, fire detection, fire suppression, and/or automatic sprinkler system render the residence safe for the care of infants and toddlers.
- 8) No area accessible only by a ladder or folding stairs or through

NOTICE OF ADOPTED RULES

- a trap door shall be used for sleeping or napping.
- 9) Where the basement area may be utilized for child care, at least two exits shall be provided directly to the outside at grade level. An outside window operable from the inside (without the use of tools) and providing an unobstructed opening of not less than 5.7 square feet in area, may be used as a second exit provided it is not more than 44 inches above the floor. In addition, the opening shall be at least 20 inches in width, with a corresponding height to give 5.7 square feet. The opening shall be at least 24 inches in height with a corresponding width to give 5.7 square feet.
- 10) All walls and surfaces shall be free from chipped or peeling paint.
- 11) Walls of rooms that children use shall be maintained free of lead paint.
- 12) Furniture and equipment shall be kept in safe repair.
- 13) First-aid supplies, medication, cleaning materials, poisons, and other hazardous materials shall be stored in places inaccessible to children.
- 14) Tools and gardening equipment shall be stored in locked cabinets, if possible, or in places inaccessible to all children.
- 15) Exit doors shall be kept clear of equipment and debris at all times.
- 16) There shall be an operable telephone available on the premises of the licensee.
- b) There shall be a minimum of 35 square feet of indoor floor space per child excluding special use areas. Floor space shall be unencumbered except by equipment required by this Part. There shall be an additional 25 square feet of space for each infant or toddler who sleeps and plays in the same indoor area.
- c) Indoor space shall consist of a clean, comfortable environment for children.
- 1) The group day care home shall be well-ventilated, free from observable hazards, properly lighted and heated, and free of fire hazards.
 - 2) The dwelling shall be kept clean, sanitary, and in good repair.
 - 3) There shall be provision for isolating a child who becomes ill or who is suspected of having a communicable, infectious or contagious disease.
 - 4) When used for child care, basement floors shall have protective covering such as, but not limited to, tile, carpet, linoleum. Paint or sealer alone is not acceptable as to protective covering.
 - 5) When infants and toddlers are in care, stairs leading to second levels, attics or basements shall be fitted with a sturdy gate or other barrier to prevent the child(ren)'s access to the stairs without adult supervision.
 - d) The kitchen shall be clean, equipped for the preservation, storage, preparation and serving of food, and shall be reasonably safe from

NOTICE OF ADOPTED RULES

- hazards.
- e) Garbage and refuse containers used to discard diapering supplies, food products or disposable meal service supplies in areas for child care shall be cleaned daily with a germicidal solution unless plastic liners are used and disposed of daily.
- f) A safe and sanitary water supply shall be maintained. If a private water supply is used instead of an approved public water supply, the applicant shall supply written records of current test results indicating the water supply is safe for drinking. New test results must be provided prior to relicensing. If nitrate content exceeds 10 parts per million, bottled water must be used for infants.
- g) Hot and cold running water shall be provided. There shall be a temperature control to maintain hot water accessible to child(ren) at a temperature of no more than 120 degrees Fahrenheit.
- h) The group day care home shall provide one toilet for each ten (10) persons or portion thereof who are present during the hours the group day care home is in operation. These ten persons include caregiver(s), child care assistant(s), member(s) of the household and children other than infants and toddler(s) for whom a potty chair is provided.
- i) There shall be a minimum of 75 square feet of outdoor space per child for the total number of children using the area at any one time. At least 25% of the required space shall be on the premises of the group day care home. The remainder may be a public park, playground or other outdoor recreation area within walking distance (one thousand feet) of the group day care home provided the caregiver or an adult assistant accompanies child(ren) to this outdoor area.
- j) There shall be safe outdoor space for active play.
- 1) Space shall be provided for play in yards, nearby parks or playgrounds under adult supervision.
 - 2) Space shall be protected by physical means or by adult caregiver supervision against all hazards such as pools, traffic, and construction. Further, outdoor space shall be partitioned or supervised in such a manner that young child(ren) are not endangered by the activities of older child(ren).
 - 3) Play areas shall be well drained and safely maintained.
 - 4) In-ground or above-ground swimming pools located in areas accessible to children shall be fenced. The fence shall be at least 3 1/2 feet in height and secured by a locked gate.
 - 5) Portable wading pools shall be emptied daily and cleaned with a germicidal solution before being air-dried.
 - 6) If public parks or playgrounds are used for play, the child(ren) shall be closely supervised by the caregiver or adult assistant during play and while traveling to and from the area.
 - 7) Supervision shall be provided during outdoor play by caregivers who meet the requirements of Section 408.45 below.
 - k) A caregiver who relies upon outdoor space shared with other residents in a multiple family dwelling shall have a written agreement with the other resident(s) or the owner(s) of the outdoor area authorizing the

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

use of the space by the group day care home and the children cared for.

- 1) Insect and rodent control shall be maintained.
 - 1) All outside doors except those with operable self-closing devices, operable windows, and other openings used for ventilation shall be screened.
 - 2) Chemicals for insect and rodent control shall not be applied in areas accessible to children when children are present.
- m) Healthy household pets which present no danger to children are permitted.
 - 1) A licensed veterinarian shall certify that the animals are free of diseases that could endanger the child(ren)'s health and that dogs and cats have been inoculated for rabies.
 - 2) If certification is not available, animals shall be confined at all times in an area inaccessible to child(ren).
 - 3) There shall be careful supervision of child(ren) who are permitted to handle and care for the animals.
 - 4) Immediate treatment shall be available to any child who is bitten or scratched by an animal.

n) The Department shall request that the Illinois Department of Public Health or a local health department authorized by it inspect the group day care home and its premises whenever the department has reason to believe that conditions in the home or its premises pose potential health hazard(s) to the child(ren) cared for in the home.

o) There shall be plans for immediate evacuation in case of emergency. Fire drills shall be conducted monthly for the purpose of removing children from the home as quickly as possible. Tornado drills shall be conducted monthly for the purpose of getting children accustomed to moving to a position of safety in event of a tornado. Records shall be maintained of the dates and times required drills are conducted. The alphabetic card file required by subsection 408.120(c) shall accompany the caregiver during the drills.

p) Handguns are prohibited on the premises of the group day care home except in the possession of peace officers or other adults who must possess a handgun as a condition of employment and who reside in the group day care home.

q) Any firearm, other than a handgun in the possession of a peace officer or other person as provided above, shall be kept in a disassembled state, without ammunition, in locked storage in a closet, cabinet, or other locked storage facility inaccessible to children. Ammunition for such firearm(s) shall be kept in locked storage separate from that of the disassembled firearm(s), inaccessible to children.

r) The operator of the group home shall notify the parent(s) or guardian of any child accepted for care that firearm(s) and ammunition are stored on the premises. The operator shall also notify the parent(s) or guardian that such firearms and ammunition are in locked storage inaccessible to children. Such notification need not disclose the location where the firearms and ammunition are stored (Section 7 of the Act).

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- s) A group day care home operator relying upon a cooperative or lending arrangement to meet the equipment requirements of this Part shall provide a copy of a written agreement specifying which equipment required by this Part is covered by the agreement. Further, the operator shall demonstrate to the satisfaction of the Department that the equipment covered by the agreement is both available and utilized by the group day care home as required by this Part.
- t) Operation of other business on the premises must not interfere with the care of children.
- u) A group day care home may not house bedridden or chronically ill persons except by permission of the Department. The Department shall grant such permission unless the person has a reportable contagious or communicable disease or requires care which adversely affects the ability of the caregiver to supervise child(ren).

Section 408.35 General Requirements for Group Day Care Home Family

a) Each caregiver, child care assistant and adult member of the household in a group day care home shall authorize the Department to conduct a background check pursuant to Section 408.40.

b) When notified by the Department that an employee, member of the household or other person in frequent contact with children at the facility is the subject of a formal investigation for child abuse or neglect pursuant to the Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1987, ch. 23, pars. 2051 et seq.), the licensee shall take reasonable action necessary to insure that the employee or other person is restricted during the pendency of the investigation from contact with children whose care has been entrusted to the facility. Such reasonable action includes, but is not limited to barring or removing the person from the facility, assuring that another adult is always present when the subject of the investigation is in contact with child(ren).

c) Members of the household who have contact with the child(ren) in care shall treat them with respect, courtesy, and patience.

d) The caregivers and all members of the household shall provide medical evidence that they are free of a reportable communicable disease which may be transmitted while providing child care; and, in the case of caregiver(s), that they are free of physical or mental conditions which could interfere with the child care responsibilities.

e) Caregiver(s) and members of a household shall have a tuberculin skin test administered by the Mantoux method in accordance with the rules of the Department of Public Health (77 Ill. Adm. Code 690.720).

f) Should the caregiver(s) or any member of the household be diagnosed as having a communicable disease for which isolation is required by the Department of Public Health (IDPH) or local health department, the group day care home shall not provide child care until notified by the public health agency that the infectious period has elapsed and that child care may resume. Further, a child care assistant or substitute who does not reside in the group day care home diagnosed as having a

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

communicable disease for which isolation is required shall be barred from the home until the presence of such person is authorized by the IDPH or the local health department.

- g) During the hours of operation of the group day care home, there shall be at least one person on the premises certified in first-aid, the Heimlich maneuver and in cardiopulmonary resuscitation by the American Red Cross or the American Heart Association. The caregiver(s) shall have on file current certificates attesting to the training.
- h) The operator(s) of the group day care home (the caregiver(s)) shall carry public liability insurance in the single limit minimum amount of \$100,000 per occurrence.
- i) Person(s), including members of the household, counted in the staff-to-child ratio required by Section 408.65 must be present, awake and free from responsibilities other than those directly related to the care and supervision of child(ren) when children are present. These responsibilities may include light housekeeping to maintain the area(s) wherein child care is provided.
- j) Caregiver(s), assistant(s) and other persons shall not smoke or consume alcohol in the presence of child(ren). A caregiver or child care assistant who appears to be under the influence of alcohol or other drug shall not have responsibility of the care of child(ren).

Section 408.40 Background Checks

- a) No individual may receive a license from the Department or be employed in a group day care home licensed by the Department when the applicant or an adult member of the household has been determined to be a perpetrator of child abuse or neglect under Section 3 of the Abused and Neglected Child Reporting Act (Ill. Rev. Stat. 1987, ch. 23, par. 2053) and who has been identified through circuit court (juvenile, criminal, civil) proceedings as having been a perpetrator of child abuse or neglect based on any one of the following:
 - 1) Death
 - 2) Brain damage or skull fracture
 - 3) Subdural hematoma
 - 4) Internal injuries
 - 5) Wounds (Gunshot, knife, or puncture)
 - 6) Torture
 - 7) Sexually transmitted diseases
 - 8) Sexual penetration
 - 9) Sexual molestation
 - 10) Sexual exploitation
 - 11) Failure to thrive
 - 12) Malnutrition
 - 13) Medical neglect of disabled infant

- b) For the purposes of Section 408.40(a) identification through circuit court proceedings includes:
 - 1) specific findings by a court that a child's abuse, neglect or dependency is the result of abuse or neglect inflicted by a

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

parent, guardian or legal custodian or other person responsible for the child's welfare (as defined by Section 2054 of the Abused and Neglected Child Reporting Act).

- 2) criminal convictions and civil judgments regardless of the type of sentence imposed or amount of damages recovered for offenses relating to child abuse, child neglect or child sexual abuse resulting from jury trials, bench (court) trials or voluntary guilty pleas.
- c) Prior to denying an individual a license or employment pursuant to subsection (a), the Department shall notify the individual that he or she has been identified as a perpetrator of child abuse or neglect as described in subsection (a) above, and the Department shall provide the individual an opportunity to demonstrate that he or she is not the individual identified in the court finding, criminal conviction or civil judgement.
- d) An individual requesting an opportunity for review pursuant to subsection (c) above shall submit such request, in writing, to the Department or the child care facility, as applicable, within ten (10) days of receipt of written notice of the Department's intent to deny a license or the Department's or child care facility's intent to deny employment. The individual shall be notified, in writing, of the date, time and location of the review. The individual may be represented by counsel of his or her choice, and may present evidence and/or witness(es) on his or her behalf. The individual shall be required to produce evidence that he or she is not the individual identified in the court finding, criminal conviction or civil judgement the Department has relied upon in making the identification. Evidence to be considered shall be limited to:
 - 1) Fingerprints processed through the U.S. Justice Department and the Illinois Department of State Police indicating an absence of a conviction arising from child abuse or neglect identified in subsection (a) above; or
 - 2) Sworn statements from the law enforcement agency or clerk of the court upon whom the Department has relied for the identification, that the subject of the report provided to the Department is not the individual seeking licensure or employment.
- e) Except as provided in subsection (a) above, a person determined to be the perpetrator of an indicated incident of abuse or neglect under Section 3 of the Abused and Neglected Child Reporting Act shall not automatically be denied a license from the Department or be denied employment in a group day care home licensed by the Department. Rather, the Department shall provide the individual an opportunity to present evidence which demonstrates fitness for licensure or employment. Such evidence shall include, but not be limited to:
 - 1) the nature of the abuse or neglect with which the individual was identified, including whether the abuse or neglect resulted in serious injury or death to a child or children;
 - 2) the circumstances surrounding the commission of the abuse or neglect, including the age of the perpetrator and the child(ren),

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- that would demonstrate an unlikelihood of repetition;
- 3) the period of time that has elapsed since the abuse or neglect occurred and whether prior incidents of child abuse or child neglect have been indicated against the individual;
 - 4) whether the abuse or neglect involved a single or multiple child victims;
 - 5) the relationship of the incident of child abuse or neglect to the individual's current or prospective responsibilities within the group day care home;
 - 6) evidence of rehabilitation such as employment, education, participation in therapy since the indicated incident(s) of abuse or neglect; and
 - 7) character references.
- f) Except as stated in subsection (a) above, an individual convicted of a crime will not automatically be prohibited from contact with child(ren) cared for in a group day care home solely because of the conviction. Instead, the Department shall consider the following:
- 1) the type of crime for which the individual was convicted;
 - 2) the number of crimes for which the individual was convicted;
 - 3) the nature of the offense(s);
 - 4) the age of the individual at the time of conviction;
 - 5) the length of time that has elapsed since the last conviction;
 - 6) the relationship of the crime and the capacity to care for children;
 - 7) evidence of rehabilitation; and
 - 8) character references.

Section 408.45 Caregiver(s)

- a) The caregiver is responsible for the day-to-day operation of the group day care home in accordance with the standards prescribed in this Part.
- b) The caregiver or a designated child care assistant meeting the requirements of this Section shall be at the group day care home at all times that the group day care home is in operation, except when transporting child(ren) or accompanying them on field trip(s).
- c) The caregiver(s) in a group day care home shall be at least 21 years of age.
- d) The caregiver(s) shall have a high school diploma or equivalency certificate.
- e) In addition to meeting the requirements of Sections 408.35 and 408.40 the caregiver in a group day home shall have achieved:
 - 1) One year (1560 clock hours) child development experience in a licensed day care home, nursery school, kindergarten, or licensed day care center plus six semester or equivalent quarter hours in courses related directly to child care and/or child development from an accredited college or university; or
 - 2) One year of credit from an accredited college or university with six semester or equivalent quarter hours related directly to

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- child care and/or child development; or
- 3) A current credential as a Child Development Associate (1982). (Assessment for credential done locally. For information contact: Council for Early Childhood Professional Recognition, 1718 Connecticut Avenue, N.W.--Suite 500, Washington, D.C. 20009.)
 - f) In addition to meeting the other requirements of this Section, the caregiver(s) shall complete six clock hours of continuing education per calendar year in matters related to child care/child development or compliance with the standards prescribed by this Part. Such continuing education may be derived from training offered by the Department, the Department of Public Health, the Office of the State Fire Marshal, or National, state or local organizations specializing in child care or child development. Courses to meet this requirement include, but are not limited to child care/child development, health and sanitation, nutrition, small business management, personnel supervision, child abuse and neglect, parenting skills, first aid and safety. The records of the group day care home shall document the continuing education in which the caregiver has participated, and these records shall be available for review by the Department.
 - g) Through interaction with the licensing representative, children, parent(s) or guardian of children in care and operation of the group day care home in accordance with standards prescribed by this Part, caregiver(s) shall exhibit competence in the following specific areas:
 - 1) Knowledge of basic hygiene, safety, and nutrition;
 - 2) The ability to relate comfortably with parent(s) and to communicate with them on differences in caregiving methods, values, and goals;
 - 3) The ability to communicate with children;
 - 4) The ability to set realistic controls for child(ren) and to enforce these without harshness or physical abuse;
 - 5) Knowledge of the child(ren)'s need to explore and manipulate and the willingness to provide and maintain a home where child(ren) can enjoy living and learning.
 - h) The caregiver(s) shall be responsible for the planning and supervision of the program and activities of the children; orienting child care assistant(s) and substitutes to the operation of the group day care home; on-site supervision of child care assistants; and in-service training totaling a minimum of 15 clock hours per year for the child care assistant(s). Orientation and training may be provided by the primary caregiver(s) or outside resource person(s) and shall include recognizing and reporting child abuse or neglect, licensing standards prescribed by this Part, first aid, health and sanitation, fire prevention and safety procedures, special health, developmental or nutritional needs of child(ren) cared for in the group day care home. The caregiver(s) may not be employed outside the home during the hours that child care is being provided. This restriction does not apply to spouses qualifying as caregivers, provided one of them is in the home
 - i)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

during the hours that child care is being provided.

Section 408.50 Child Care Assistant(s)

- a) The person(s) assisting the caregiver shall be at least 16 years of age.
- b) Assistant(s) shall work under the direct, personal supervision of the caregiver at all times.
- c) An assistant eighteen years of age or older may accompany child(ren) in activity within outdoor space as described in subsection 408.30(j). When appropriately licensed, such an assistant may transport child(ren) alone with the approval of the caregiver.
- d) The assistant(s) shall be compatible with the caregiver, capable of following directions, and responsive to supervision.
- e) The child care assistant(s) shall be able to relate well with child(ren).

Section 408.55 Substitute(s)

- a) A substitute caregiver may be utilized in the home on two occasions per month. For purposes of this Section, an occasion is defined as an absence of the primary caregiver(s) from the home for any period time while child(ren) are in care.
- b) A substitute caregiver shall be at least 21 years of age.
- c) A person who functions as a substitute caregiver on a regular or scheduled basis shall meet the requirements of Sections 408.35 and 408.40.
- d) The parent(s) of children in care and the Department shall be notified of any substitution which occurs on a regular or scheduled basis or wherein the caregiver is absent from the home for more than 24 consecutive hours during which children are in care.
- e) The caregiver shall have on file the names, addresses, and telephone numbers of additional adult(s) who would be available to assist in the home in an emergency.
- f) The caregiver shall have a plan worked out and understood by the parents in case the caregiver is ill or absent from the home due to an emergency.

Section 408.60 Admission and Discharge Procedures

- a) Child(ren) served in a day care facility shall not remain on the premises for more than 12 hours in any 24-hour period unless extra hours of day care are required by the parent's/guardian's work schedules. The caregiver shall maintain a written record of occasions when child(ren) remain in the home in excess of 12 hours. At no time shall child(ren) cared for in a day care facility remain on the premises for 24 consecutive hours.
- b) Prior to acceptance of a child for care, the caregiver shall require that the parent(s) or guardian accompany the child to the home to

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- become acquainted with the caregiver and with the service to be provided.
- c) The parent(s) or guardian shall be permitted to visit the home, without prior notice, during the hours their child(ren) is/are in care.
- d) The caregiver(s) shall conduct a daily, preadmissions screening to determine if the child has obvious symptoms of illness. If symptoms of illness are present, the caregiver shall determine whether or not to provide care for the child, depending upon the apparent degree of illness, other children present, and facilities available to provide care for the ill child in accordance with the requirements of Section 408.70.
- e) Child(ren) with diarrhea and those with rash combined with fever (oral temperature of 100 degrees Fahrenheit or higher) shall not be admitted to the group day care home while these symptoms persist, and shall be removed as soon as possible should these symptoms develop while the child is in care.
- f) A child shall be discharged from the facility only to the child's parent(s) or guardian or to a person designated in writing by the parent(s) or guardian to receive the child.
- g) The caregiver shall refuse to release a child to any person, whether related or unrelated to the child, who has not been authorized, in writing, by the parent(s) or guardian to receive the child. Persons not known to the caregiver shall be required to provide a driver's license (with photo) or photo identification card issued by the Illinois Secretary of State to establish their identity prior to a child's release to them.
- h) The facility shall maintain a list of persons designated, in writing, by the parent(s), or guardian to whom the facility can be expected to discharge the child at least once per week. These persons, in addition to the parent(s) or guardian, shall constitute the primary list of persons to whom the child may be released. In addition, the facility shall maintain a contingency list of persons designated, in writing, by the parent(s) or guardian to whom the child may be released less frequently than once per week. When the child is released to a person on the contingency list, the facility shall maintain a record of the person to whom the child was released, the date and time that the child was released, and the manner that the child left the facility (whether on foot, by passenger car, by taxicab or other means of transportation.)
- i) Other discharge provisions of this Section notwithstanding, a child leaving the group day care home to attend school shall be released in accordance with the written authorization of the parent(s) or guardian. Such authorization shall include the time that the child is to be released and the means of transportation the child is to use.

Section 408.65 Number of Children Served

- a) The maximum number of children permitted in a group day care home

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

NOTICE OF ADOPTED RULES

shall be 12 children under the age of 12, including own child(ren), related child(ren) and unrelated child(ren).

- b) Twelve (12) children between 3 and 6 years of age may be cared for by a caregiver and an assistant eighteen (18) years of age or older. The assistant must be present when more than six (6) such children are present.

- c) Except as provided by subsection (b) above, the number of children to be served in the group home at any one time (license capacity) when a caregiver and assistant are present shall be determined in accordance with the following:

- 1) No more than four (4) children under 15 months of age shall be cared for in a group day care home; and
 - 2) No more than six (6) children under 30 months of age shall be cared for in a group day care home; and
 - 3) No more than ten (10) children under six (6) years of age shall be cared for in a group day care home.
- d) A caregiver alone may care for up to twelve (12) children six (6) years of age or older prior to and after school attendance. At other times (including holidays, vacations and weekends) such children shall be supervised by a caregiver and an assistant eighteen (18) years of age or older whenever their number exceeds eight (8).
- e) Except as provided in subsection (d) above, the number of children to be served in the group home at any one time that the caregiver is present alone shall be determined in accordance with the following:

- 1) No more than three (3) children under 30 months of age shall be cared for in a group day care home; and
- 2) No more than five (5) children under six (6) years of age shall be cared for in a group day care home; and
- 3) No more than eight (8) children may be cared for in a group day care home when one or more of the children is/are under six (6) years of age.

Section 408.70 Health and Medical Care

- a) A medical report, on forms prescribed by the Department, shall be on file for each child and shall be dated no earlier than 6 months prior to enrollment.

- 1) The medical report shall be valid for two years, except that subsequent examinations for school-age children shall be in accordance with the requirements of Section 27-8.1 the School Code (Ill. Rev. Stat. 1987, ch. 122, par. 27-8.1), provided copies of the exam are on file at the facility.

- 2) A tuberculin skin test shall be included in the initial exam only. The test shall be administered by the Mantoux method in accordance with the rules of the Illinois Department of Public Health.

- 3) The report shall indicate that the child has been immunized as required by the rules of the Illinois Department of Public Health for immunizations. These required immunizations are

poliomyelitis, measles, rubella, diphtheria, mumps, pertussis and tetanus.

- 4) In accordance with the Child Care Act of 1969, as amended, a parent may request that immunizations, physical examinations, and/or medical treatment be waived on religious grounds. A request for such waiver shall be in writing, signed by the parent, and kept in the child's record.

- 5) Exceptions made for children who for medical reasons should not be subjected to immunizations or tuberculin test shall be so indicated by the physician on the child's medical form.

- b) A child suspected of having or diagnosed as having a reportable infectious, contagious, or communicable disease for which isolation is required by the Illinois Department of Public Health's General Procedures for the Control of Communicable Disease (77 Ill. Adm. Code 690.1000) shall be excluded from the home until the Illinois Department of Public Health or local health department authorized by it, states in writing, that the communicable, contagious or infectious stage of the disease has passed and that the child may be re-admitted to the group day care home.

- c) Necessary medications shall be administered according to specific instructions.

- 1) Prescription medicine labels must bear the child's name, the physician's name, the name of the drug store or pharmacy, prescription number, date of the prescription, and directions for administering.

- 2) Nonprescription medication provided by the parent(s) may be administered upon written parental permission which specifies the duration and frequency of medication. Such medication shall be administered in accordance with package instructions, and shall be labeled with the child's name and dated.

- 3) There shall be a signed statement by the child's parent or guardian giving permission to the caregiver to administer medication to the child.

- 4) The caregiver shall maintain a record of the dates, hours and dosages which are given.

- 5) Medication shall be returned to the parent(s) when it is no longer required. Additionally, medication provided for a child no longer cared for in the facility and medication which has reached its expiration date shall be destroyed.

- 6) Medical services, such as direct medical care to the child, shall be administered as required by a physician, subject to the receipt of appropriate releases from parent(s).

- d) Personal hygiene standards, such as the following, shall be observed:

- 1) Each child shall be provided with an individual towel, washcloth, and drinking cup. Single-use, disposable articles are acceptable.
- 2) A separate sleeping arrangement, such as a bed, cot, crib, or playpen with individual bedding shall be provided for each child.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

A twin size bed may be used, for 2 children under age 4, provided each child shall have individual sheets.

A) The bed shall be kept in a clean and sanitary condition at all times, and bedding shall be suitable for the season.

B) Family beds may be used for child(ren) if separate linens are used.

C) Rubber sheets shall be used when necessary.

3) The caregiver shall require parent(s) to supply clothing suitable to weather conditions, as well as a complete change of clothing in case of need.

4) Caregiver(s) and child(ren) shall wash and dry their hands before meals, after toileting, and after contact with respiratory secretions.

5) Open cuts, sores or lesions on caregiver(s) or child(ren) shall be covered.

6) Caregiver(s) shall wash their hands prior to food preparation and after any physical contact with a child during food preparation. Hands shall be dried using single-use towels.

7) Sheets shall be changed when soiled and at least weekly.

8) Clothing soiled due to toilet accidents shall be changed immediately.

e) In order to reduce the risk of infection or contagion to others, there must be space provided in the group day care home for the isolation and observation of a child who becomes ill. An ill child shall be provided a bed or cot away from other children and a caregiver or assistant shall supervise the child at all times he/she is in the home.

f) When a group day care home admits an ill or injured child(ren), a plan for the care of such child(ren) must be agreed upon with the parent(s) to assure that the needs of the child(ren) for rest, attention, personal care and administration of prescribed medication are met. No child requiring exclusion from the home in accordance with 77 Ill. Adm. Code 690 may be admitted.

g) Caregiver(s) shall take reasonable measures to reduce the spread of communicable disease among children in the facility by observing such procedures as:

1) Using only washable toys with diapered child(ren),

2) Washing washable toys at least once per day;

3) Cleaning facility-provided stuffed toys at least once per week;

4) Washing toys mouthed by one child before they are used by another child; and

5) Washing pacifiers and other items placed in the mouth if dropped to the floor or ground.

h) There shall be an emergency plan for each child in case of accident or sudden illness.

1) The caregiver shall have available at all time the name, address, and telephone number where the child's parents or guardian, relative, friend, or physician, and the Department can be reached.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

2) There shall be a planned source of readily available emergency medical care; a hospital emergency medical room, clinic, or the child's physician.

3) When the caregiver accompanies a child to the source of emergency care, an adult must assume supervision of other child(ren) in the home.

4) In case of illness or accident, the parent, guardian, or supervising agency responsible for the child shall be notified immediately.

Section 408.75 Discipline of Children

a) The caregiver shall use disciplinary measures designed and carried out in such a way as to help individual children develop self-control and assume responsibility for their own acts.

1) The caregiver shall establish simple, understandable rules so that expectations and limitations are clear to the child.

2) Discipline shall be in proportion to the particular inappropriate behavior.

3) Discipline shall be related to the child's act and be handled immediately by the adult involved so the child is aware of the relationship between acts and consequences.

4) Removal from the other child(ren) as a means of helping a child gain control shall be for a number of minutes not to exceed the child's age in years.

b) No child shall be subjected to extreme punishment.

1) No child shall be subjected to physical punishment, nor can shaming, frightening, or humiliating methods be used.

2) There can be no verbal abuse, threats, or derogatory remarks about the child or the child's family.

3) Depriving a child of meals or any part of meals shall never be used as punishment.

4) No child shall be punished for toilet accidents.

Section 408.80 Nutrition and Meals

a) Meals and snacks shall be provided by the facility in a quantity and of such quality as to meet the daily nutritional needs of the child.

b) Food requirements for child(ren) between birth and the age of eating table food shall be geared to the individual needs of the child and determined by consultation with the parents. The facility shall provide one-third to two-thirds of the daily nutritional requirements, depending on the length and time of day of the child's stay. The main meal shall be nutritionally balanced conforming to age appropriate portions and variety as reflected in the Meal Pattern Charts, Appendices A and B.

c) Child(ren) one year of age and older in attendance for more than two but less than five hours shall be served a mid-session snack consisting of one-half cup of pure fruit juice or full-strength canned

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

or frozen fruit juice which contains at least 30 milligrams of Vitamin C per serving, or one to one-half cup of pasteurized milk, or one serving of citrus fruit.

- d) Child(ren) one year of age and older in attendance five to ten hours shall be served at least one-third of their daily food requirements, which shall include a well-balanced, nutritive meal. Occasional picnic-type meals may be substituted for a main meal. Midmorning and midafternoon snacks consisting of fruit, fruit juice, or pasteurized milk (as prescribed under subsection (c) above) shall be included. Child(ren) in attendance for over ten hours shall be served food to provide at least two-thirds of their daily food requirements. Two meals and the supplemental snacks will meet this requirement. One of the meals may be breakfast or supper, depending on the time the child arrives or departs.
- e) Child(ren) shall be served small servings of bite-size pieces.
- f) All meals shall be suitable for child(ren) and prepared by methods designed to conserve nutritive value, flavor, and appearance.
- g) Drinking water shall be readily available to the child(ren) at all times.
- h) Mealtimes shall be pleasurable experiences for the child.
 - 1) There shall be enough time allowed for meals so the child(ren) can eat in a unhurried atmosphere.
 - 2) Child(ren) shall be encouraged but not forced to try new foods.
 - 3) Information provided by parents concerning the child's eating habits, food preferences, or special needs should be considered in planning menus.
 - 4) Food preferences and eating habits shall not be permitted to become a source of friction at mealtimes.
 - 5) Mealtimes should occur in a social atmosphere and afford child(ren) the close presence of an attentive adult.
- i) Meals shall not be brought from home as a substitute for a meal provided by the facility except as provided in subsection (j) below.
- j) Provisions of this Section notwithstanding, a child requiring a special diet due to medical reasons, allergic reactions, or religious beliefs shall be provided meals and snacks in accordance with the child's needs and the written instructions of the child's parent(s), guardian, or a licensed physician. Such instructions shall list any dietary restrictions/requirements and shall be signed and dated by the child's parent(s), guardian or physician requesting the special diet. The group day care home may request the parent(s) or guardian to supplement food served by the facility. When food is supplied by the parent(s) or guardian, the facility shall be responsible for assuring that it is properly stored and served to the specific child in accordance with the diet instructions on file at the facility. Records of food intake shall be maintained when indicated by the child's physician.

Section 408.85 Program

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- a) The caregiver and parent shall discuss the child's health, development, behavior and activities to ensure consistency in planning for the child.
- b) The program shall include opportunities for a child to have free choice of activities to play alone, if desired, or with one or several chosen peers.
- c) The facility shall provide a basic program of activities geared to the age levels and developmental needs of the child(ren) served. The daily program shall provide:
 - 1) Informal activities, providing a family atmosphere that promotes the physical and emotional well-being of the individual.
 - 2) Encouragement for child(ren) to participate in age appropriate household routines such as preparing food, setting tables, and cleaning up.
 - 3) Regularity of such routines as eating, napping, and toileting with sufficient flexibility to respond to the needs of individual children;
 - 4) A balance of active and quiet activity;
 - 5) Daily indoor and outdoor activities in which child(ren) make use of both large and small muscles;
 - 6) Occasional trips and activities away from the facility (frequency to be determined by the caregiver);
 - 7) A supervised nap period for child(ren) under six years of age who remain five or more hours. This nap period for the group should not normally exceed two and one-half hours. Child(ren) who remain for as long as four consecutive hours shall have a supervised rest period.
- d) The daily program of the facility shall provide experiences which promote the individual child's growth and well-being and the development of self-help and communication skills, social competence, and positive self-identity.
- e) Program planning shall provide the following:
 - 1) A variety of activities which takes into consideration individual differences in interest, attention span, and physical and intellectual maturity;
 - 2) Sufficient time for activities and routines, so that the child(ren) can manage them and progress at their own developmental rate;
 - 3) Sufficient materials and equipment to avoid excessive competition and long waits;
 - 4) Program planning so that the child(ren) are not always required to move from one activity to another as a total group;
 - 5) A program that avoids long waiting periods between activities and prolonged periods during which the child(ren) must stand or sit;
 - 6) Provision for privacy through arranging a small, quiet area that is easily accessible to the child who seeks or needs time to be alone; and
 - 7) A variety of chores and activities at the child's developmental level.

Section 408.85 Program

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- f) Materials and toys shall be kept clean, orderly, attractive, and accessible to the child(ren).
- g) There shall be stimulating play and learning materials; these may include household items used creatively.
- h) Each child's individuality shall be respected and a sense of self and development of self esteem shall be encouraged.
- i) Child(ren) shall not be left unattended and adult supervision shall be provided at all times.
- j) The program shall take into account the stress and fatigue that result from constant pressures and stimulation of long hours in a group living situation.
- k) Activity areas, equipment, and materials shall be arranged so that staff can be easily aware of the child(ren)'s presence and activity at all times.
- l) Equipment shall be arranged in orderly, clearly defined areas of interest, with sufficient space in each area for the children to see various activities available to them.

Section 408.90 Transportation of Children

- a) Child(ren) may be transported only by persons 18 years of age or older in the child/adult ratio prescribed in Section 408.65.
- b) Caregivers shall be responsible for assuring the safe transport of child(ren).
- c) Each child shall be individually fastened into a suitable infant or child restraint device whenever the vehicle is in motion. The restraint shall be federally approved and labeled as such and used in accordance with the manufacturer's instructions. This requirement shall not apply to a child for whom a physician has certified in writing, that the child has a physical handicap which prevents wearing an appropriate restraint device.
- d) While transporting child(ren), the driver shall be responsible for seeing that:
 - 1) Each child shall board or leave the vehicle from the curb side of the street, and shall be safely conducted to the home or facility.
 - 2) A responsible person as designated by the child's parent(s) or guardian shall receive the child when delivered to the home or the facility.
- e) No child shall be left unattended in a vehicle.
- f) The vehicle shall be safely equipped and the caregiver shall comply with state and local laws pertaining to vehicles.
 - 1) The vehicle shall be equipped in accordance with requirements of the Illinois Vehicle Equipment Law (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 12-100 et seq.) and local vehicle safety ordinances.
 - 2) Evidence of compliance regarding vehicle liability and medical insurance shall be on file with the home records. Evidence may consist of but is not limited to, a copy of an insurance policy,

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- 3) The vehicle shall be equipped with safety locking devices on doors and shall be maintained in mechanically safe condition at all times.

Section 408.95 Swimming

- a) Swimming activities shall be supervised for safety.
- b) All children must be directly supervised (caregiver physically present with the child(ren)) at all times when child(ren) are wading or swimming. A second adult shall be available to supervise any children not swimming.
- c) Child(ren) shall be permitted to use a swimming pool only under the direct supervision of a person currently certified as a water safety instructor or lifeguard by the American Red Cross or an equivalent water safety program.

Section 408.100 Children with Special Needs

- a) Children identified as having special needs shall have activities relating to those needs that are planned with parents and/or physicians, nurses, psychologists, social workers, speech therapists, physical and occupational therapists, educators and other technical and professional persons whose expertise is utilized in providing specialized services to child(ren) with special needs.
- b) Parents shall be fully informed and in agreement with all procedures undertaken in relation to the child's needs.
- c) There shall be suitable space and equipment so that the child can function as safely and independently as possible.
 - 1) Areas of the home shall be adapted as necessary if special devices are required for the child to function independently.
 - 2) Space needs shall be determined by considering such factors as age and size of the child, activity recommendation, and ambulation problems.
- d) In determining license capacity, discipline, nutritional needs, equipment, child(ren) who have special needs due to physical, mental, and/or emotional disabilities shall be considered at the age level at which they function. The age level at which the child functions for purposes of determining child/staff ratios shall be determined by the Department in consultation with personnel involved in providing care or services for the child.

Section 408.105 Infants and Toddlers

- a) A group day care home receiving child(ren) within the infant/toddler age range shall comply with the standards prescribed for group day care homes except when inconsistent with the special requirements in this Section.
- b) Infants and toddlers shall be provided a daily program that is

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

designed to meet their needs.

- 1) The caregiver(s) shall demonstrate warm, positive feelings toward each infant through actions such as hugging, patting, smiling, and cuddling.
- 2) Routines such as naps and feedings shall be discussed with the parents and shall be consistent with the child's routine at home.
- 3) Infants who are awake shall be moved to different positions and shall be held, rocked, and carried about.
- 4) The caregiver(s) shall frequently change the place, position, and toys available for infants who cannot move about the room.
- 5) Consistent toilet training shall be undertaken at a time mutually agreed upon by parent(s) and caregiver in accordance with the child's age and/or stage of development.
- 6) Child(ren) shall be taken outdoors for a portion of every day, when weather permits, except when the child is ill or unless indicated otherwise by parent(s) or physician.
- c) Feeding schedules and procedures shall meet the developmental needs of the child(ren).
 - 1) Flexible feeding schedules of infants shall be established to coordinate with parent(s) schedules at home and to allow for nursing infants.
 - 2) Infants who cannot yet turn over alone shall be placed on their abdomens after feeding unless contraindicated by a physician.
 - 3) Infants up to 6 months of age shall be held while being bottle-fed. Infants of more than 6 months may be held, if needed. Bottles shall not be propped at any time. When infants are old enough to hold their own bottle, they may feed themselves without being held. The bottle must be removed when the child has fallen asleep.
 - 4) Infants shall be allowed and encouraged to feed themselves when they indicate a readiness to do so.
 - 5) Safe finger foods such as those which dissolve in the month may be provided.
 - d) Proper standards of hygiene shall be observed in the home.
 - 1) Hands shall be washed and dried before the feeding of each child.
 - 2) If the child's formula is brought in by the parent, it shall be labeled and refrigerated.
 - 3) All utensils shall be washed after each use.
 - 4) Foods stored or prepared in jars shall be served from a separate dish for each infant. Any leftovers from the serving dish shall be discarded. Leftovers in the jar shall be labeled with the infant's name, dated, refrigerated, and served within 24 hours or discarded.
 - 5) A toilet shall be easily accessible so that the contents of reusable diapers may be disposed of before placing the diapers in the diaper pail. Disposable diapers and their contents shall be disposed of in accordance with the manufacturer's instructions.
 - 6) Person(s) changing diapers shall wash hands under running water with soap after each change of diaper. Hands shall be dried with

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- single-use towels. Additionally, disposable latex, rubber or plastic gloves shall be worn when changing a child who has watery or bloody stools.
- 7) The child whose diapers are being changed is to be washed on the hands and anal area if there has been defecation or if irritation is present.
 - 8) Infant(s) and toddler(s) shall be diapered in their own cribs, at a central diapering area on a surface that is sanitized after each use, or on a disposable paper sheet which is disposed of after each diapering.
 - 9) The toilet seat or potty shall be cleaned after every use.
 - 10) Soiled diapers shall be changed promptly.
 - 11) Sheets shall be changed when soiled, and all sheets shall be changed routinely two times per week.
 - 12) All beds shall be wiped clean as often as necessary.
 - 13) Toys and equipment shall be kept clean.
 - e) A germicidal solution of one (1) part household chlorine bleach to nine (9) parts water shall be used to clean surfaces soiled by blood or body fluids. The germicidal solution shall be made fresh daily. The equipment must be appropriate to the developmental needs of the child(ren) in care.
 - f)
 - 1) Safe, sturdy, well-constructed individual cribs, playpens, or port-a-cribs for infants shall be equipped with good firm, fitting mattresses made of water proof materials that can be washed. Washable cots may be used for toddlers.
 - 2) Sleeping equipment for infants must have protection to prevent falls.
 - 3) There shall be no more than one-and-one-half inches of space between the mattress and bed frame when the mattress is pushed flush at one corner of the crib.
 - 4) Bed linens used on the cots, cribs, or playpens shall be safe, tightly fitting, and washable.
 - 5) Conveniently located, washable, plastic-lined covered receptacles shall be provided for soiled diapers and linens.
 - 6) A toilet seat or potty shall be provided.
 - g) The materials must be appropriate to the developmental needs of the child in care.
 - 1) Provision shall be made for an adequate supply of individual diapers, clothing, powder, oil, etc.
 - 2) Cribs shall be equipped with brightly colored hanging toys or mobiles.
 - 3) There shall be a variety of toys and art materials for infants and toddlers to observe, grasp, pick up, and manipulate.
 - 4) Pull toys, pounding toys, large hollow blocks, or large balls shall be available for development of large muscles.
 - h) Equipment and play materials shall be durable and free from characteristics that may be hazardous or injurious to infants and toddlers. Hazardous or injurious characteristics include sharp, rough edges; toxic paint; and objects small enough to be swallowed.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

Section 408.110 School Age Children

- a) A group day care home receiving children within the school age range shall comply with the standards for group day care homes except when inconsistent with the special requirements in this Section.
- b) The facility shall provide a designated area so that the older children's presence shall not interfere with the needs and care of younger children.
- c) Indoor equipment shall be available so as to provide for active and quiet play appropriate to the age levels and developmental needs of the children.
- d) Outdoor equipment appropriate to the developmental levels of the children in care shall be provided, including sports equipment, outdoor games and activities.
- e) The facility shall provide a program and activities that recognize the developmental and educational needs of school-age children who need group care.
 - 1) Quiet activities such as, but not limited to, puzzles, games, reading books, simple art or special projects, and opportunities to do homework shall be accessible on a free choice basis to children waiting in the facility to leave for school during the morning hours.
 - 2) Children who have been in school all day shall have time set aside for relaxation and recreation immediately upon arrival from school.
 - 3) Opportunity shall be available for the development of skills in areas such as, but not limited to, sports, art, and music.
 - 4) Special projects outside the confines of the facility shall be provided, such as trips to the library.
 - 5) The program shall be flexible to allow the children to participate in after-school activities with the written permission of parent(s).
- f) Nutritional needs shall be fulfilled.
 - 1) A snack shall be served when children arrive at the home after school in accordance with Section 408.80.
 - 2) Child(ren) who come to the home from school for lunch shall be served a nutritionally balanced meal in accordance with Section 408.80.
- g) Areas of responsibility shall be clearly established and agreed to in writing between parent, school, and caregiver including, but not limited to:
 - 1) Child(ren) leaving the group day care home to go to school;
 - 2) Child(ren) leaving school to go home;
 - 3) Child(ren) leaving the group day care home for any reason; and
 - 4) Child(ren) participating in after school activities or visiting friends.

Section 408.115 Night Care

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- a) A group day care home receiving child(ren) for night care shall comply with the standards prescribed for group day care homes in addition to the special requirements prescribed in this Section.
- b) The child shall be bathed, if needed.
- c) No child under 5 years of age shall be left unattended while in the bathtub.
- d) Each child must have individual sleeping garments that are clean and comfortable.
- e) Bed, crib, or cot and individual linen and bedding shall be provided for each child except as herein provided:
 - 1) A double bed shall be the minimum size for sleeping two non-enuretic children of the same sex.
 - 2) Rubber sheets or suitable substitutes shall be supplied when necessary.
 - 3) If a crib is used there shall be no more than one-and-one-half inches of space between the mattress and bed frame when the mattress is pushed flush at one corner of the crib.
- f) A child who goes to school from a home providing night care shall be clean and properly dressed according to the weather.
- g) Each child shall have individual toilet articles such as comb, toothbrush, towel, and washcloth.
- h) Health care routines at bedtime and/or upon rising shall include:
 - 1) Brushing teeth at bedtime and upon rising.
 - 2) Brushing or combing the hair upon rising.
 - 3) Establishing a routine for toileting at bedtime and upon rising.
- i) When possible, child(ren) shall be left for care and picked up either before or after their normal sleeping period so that there is minimum disturbance of the child(ren) during sleep.
- j) The home shall serve meals and snacks that supplement food served at home as prescribed in Section 408.80.
 - 1) An evening meal that meets nutritional requirements shall be served at a regular time each evening and shall be available to child(ren) who may arrive without having first eaten.
 - 2) A bedtime snack shall be served, unless contraindicated by parents or physician in accordance with Section 408.80.
 - 3) Child(ren) who remain overnight and go to school directly from the home shall have breakfast, including juice or fruit, unless they are receiving breakfast at school.

Section 408.120 Records and Reports

- a) A facility shall maintain a record file on the child(ren) enrolled.
 - 1) A written application for admission of each child shall be on file with the signature of the parent or guardian.
 - 2) An alphabetic card file or register on each child shall be maintained and shall include:
 - A) Name, date of birth, and sex;
 - B) Date of admission and discharge;

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- C) Scheduled days and hours of care;
 - D) Name(s) of parent(s) or guardian(s), home address and business address and telephone numbers, marital status, and the working hours of the parent(s) or guardian(s);
 - E) Name, address and telephone number of child's physician (or other person designated by parent(s) who object to medical treatment on religious grounds);
 - F) Name(s), addresses and telephone numbers of others authorized to pick up the child; and
 - G) Names, addresses, and telephone numbers of others to contact within the immediate area if parents or guardian cannot be contacted in case of emergency.
 - H) Information regarding the child's personal development, habits, medical needs, and other information critical to the child's well-being.
- 3) There shall be signed consent forms from the parent or guardian including:
 - A) Permission for emergency medical care and treatment if the parent is not readily available.
 - B) Permission to administer medication, if applicable.
 - C) Permission for someone other than parent or guardian to pick up child if necessary.
 - D) Visits, trips or excursions off the premises.
 - E) Transportation provided by caregiver.
 - F) Permission to use the facility's swimming pool, if applicable.
 - 4) Accidents or illnesses which have occurred to the child at the facility shall be recorded in the file. When a child is not permitted to attend the facility because of an accident or illness, the date of readmission to the facility shall be recorded.
 - 5) All required health and medical reports as required by Section 408.70.
 - 6) A statement signed by the parent(s) or guardian indicating receipt of a summary of licensing standards and other materials as required by subsection (c) shall be in the child's record file.
 - b) A facility shall maintain accurate daily attendance records on all children enrolled. If a child attends on a part-time or irregular basis, this shall be recorded in the attendance record.
 - c) The facility shall distribute a summary of the licensing standards, provided by the Department, to the parent(s) or guardian of each child at the time that the child is accepted for care in the facility. In addition, consumer information materials provided by the Department including, but not limited to, information on reporting and prevention of child abuse and neglect and preventing and reporting communicable disease, shall be distributed to the parent(s) or guardian of each child cared for when designated for such distribution by the Department. Each child's record shall contain a statement signed by

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- d) the child's parent(s) or guardian, indicating that they have received a summary of licensing standards and other materials designated by the Department for such distribution.
- e) The group day care home shall enter in the child's record and orally report immediately to the child's parent, guardian, and the Department any serious occurrences involving child(ren). Oral reports shall be confirmed in writing within two working days of the occurrence. If the home is unable to contact the parent, guardian or Department immediately, it shall document this fact in the child's record. These occurrences include serious accident or injury requiring extensive medical care or hospitalization; death; arrest; alleged abuse or neglect; major fire or other emergency situations.
- f) Evidence of child abuse or neglect shall be reported immediately to the Department in accordance with the Abused and Neglected Child Reporting Act. (Ill. Rev. Stat. 1987, ch. 23, pars. 2051 et seq.)
- g) The caregiver shall immediately notify the Department of the death of any child at the facility; any illness or injury of a child resulting in medical treatment or hospitalization, and any known or suspected case or carrier or a reportable contagious, infectious, or communicable disease among child(ren), staff or member(s) of the household.
- h) The caregiver shall immediately notify the Department of any natural disaster or other occurrence resulting in the loss of or damage to physical plant or equipment required to operate the group day care home in accordance with this Part.
- i) Records shall be maintained on all staff and shall contain all pertinent information relative to character, suitability, and qualifications for the position; health; three character references verified by the group day care home; history of employment for the previous five years; date of employment by the group day care home; and, if applicable, date and reason(s) for separation from the day care home.
- j) The caregiver shall make available to staff a current and complete copy of the licensing standards in a location readily accessible to staff. Further, the licensee shall maintain a record signed by staff indicating that they have reviewed the licensing standards and any subsequent changes to those standards provided to the licensee by the Department. Records documenting compliance with this requirement shall be maintained by the licensee and available for licensing review.
- k) Each staff person shall sign a statement prescribed by the Department acknowledging his or her status as a mandated reporter of child abuse or neglect under the Abused and Neglected Child Reporting Act and acknowledging he or she has knowledge and understanding of the reporting requirements under that Act. Such statement shall be signed and dated by the staff person prior to employment, and shall be maintained by the licensee.
- l) The facility shall maintain and submit reports on staff to the Department on forms provided by the Department.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- 1) An individual report on each new employee shall be filed with the Department; a copy of this report shall be kept at the facility.
- 2) All staff changes shall be reported to the Department immediately.
- 3) Copies of documentation of medical information, verification of educational achievement, and character references of employees shall be provided upon request by the Department.
- 1) The facility shall promptly report any known or suspected case or carrier of communicable disease to local health authorities, and shall comply with the Illinois Department of Public Health's rules for the Control of Communicable Diseases (77 Ill. Adm. Code 690).
- m) Authorized Department licensing representatives or other Department representatives who have the Director's written authorization which specifies the statutory authority or administrative rule under which the access is granted shall have access to records and reports. All persons who have access to the records and reports shall respect their confidential nature.

Section 408.125 Confidentiality of Records and Information

- a) The caregiver shall respect the confidential nature of the child and family records.
- b) Information pertaining to the admission, progress, health, or discharge of an individual child shall be confidential and limited to authorized representatives of the Department, caregivers and assistants unless the parent(s) of the child has granted written permission for its disclosure or dissemination.
 - 1) The facility shall have confidentiality release forms signed by the parents which specifies to whom information may be released and how long the release form is valid. Such release forms shall be on file at the facility prior to release of information.
 - 2) If information is requested by outside persons or agencies, a specific written request signed by the person requesting the information shall be obtained and placed on file at the facility prior to the release of confidential information.
- c) Nothing in this Section shall be construed to relieve the caregiver(s) or other persons of their responsibility to report suspected child abuse or neglect to the Department or to report communicable disease(s) among children, staff or members of the household to the local health department of the Illinois Department of Public Health.

Section 408.130 Cooperation with the Department

Authorized representatives of the Department shall be admitted to the facility during the facility's hours of operation for the purpose of determining compliance with the Child Care Act of 1969 and standards set forth in this Part.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

Section 408.135 Severability of This Part

If any court of competent jurisdiction finds that any rule, clause, phrase, or provision of this Part is unconstitutional or invalid for any reason whatsoever, this finding shall not affect the validity of the remaining portions of this Part.

NOTICE OF ADOPTED RULES

Section 408. APPENDIX A Meal Pattern Chart for Children 0 to 12 Months of Age

MEAL	Ages 0-4 Months	Ages 4-8 Months	Ages 8-12 Months
BREAKFAST			
Infant Formula (iron fortified)	4-6 ounces	6-8 ounces	6-8 ounces
Infant Cereal (iron fortified)	0	1-3 tablespoons	2-4 tablespoons
SNACK (Supplement)			
Infant Formula (iron fortified)	4-6 ounces	2-4 ounces	2-4 ounces
or full strength fruit	0	2-4 ounces	2-4 ounces
or whole fluid milk	0	0	2-4 ounces
Enriched or whole-grained bread	0	0-1/4 slice**	0-1/4 slice**
or cracker-type product (suitable for infants)	0	0-2 crackers**	0-2 crackers**
LUNCH OR SUPPER			
Infant Formula (iron fortified)	4-6 ounces	6-8 ounces	6-8 ounces*
Infant Cereal (iron fortified)	0	1-2 tablespoons	3-4 tablespoons
strained fruit and/or vegetable (to total)	0	0-1 tablespoons**	1-4 tablespoons
Strained meat, fish, poultry, or egg yolk	0	0-1/2 ounce**	1/2-2 ounces
or cheese	0	0-1 ounce**	1-4 ounces
or cottage cheese, cheese food, or cheese spread	0	0-1 ounce**	1-4 ounces
*or 6-8 ounces of whole milk and 0-3 ounces of full strength fruit juice			

**These items are suggested, not required. Parents should ask their doctor if they have questions about what their baby should eat.

NOTICE OF ADOPTED RULES

Section 408. APPENDIX B Meal Pattern Chart for Children Over One Year of Age

	BREAKFAST Ages			LUNCH/SUPPER Ages		
	1 to 3	3 to 6	6 to 12	1 to 3	3 to 6	6 and older(1)
MILK						
Milk, fluid	1/2 cup(2)	3/4 cup	1 cup	1/2 cup	3/4 cup(2)	1 cup
VEGETABLES AND FRUITS(4)						
Vegetable(s) and/or fruit(s)	1/4 cup	1/2 cup	1/2 cup	1/4 cup	1/2 cup	1/4 cup total
or Full-strength vegetable or fruit juice or an equivalent quantity of any combination of vegetable(s), fruit(s), and juice.	1/4 cup	1/2 cup	1/2 cup	1/4 cup	1/2 cup	1/4 cup total
BREAD AND BREAD ALTERNATES(3)						
Bread	1/2 slice	1/2 slice	1 slice	1/2 slice	1/2 slice	1/2 slice
or Cornbread, biscuits, rolls, muffins, etc.	1/2 serv.	1/2 serv.	1 serv.	1/2 serv.	1/2 serv.	1 serv.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

or
Cold dry
cereal

1/4 1/3 3/4
cup cup cup
or 1/3 or 1/2 or 1
oz. oz. oz.

or
Cooked cereal

1/4 1/4 1/2
cup cup cup

or
Cooked pasta
or noodle
products

1/4 1/4 1/2
cup cup cup

or
Cooked cereal

1/4 1/4 1/2
cup cup cup

or an equivalent
quantity of any
combination of
bread

/bread alternate

Cooked pasta
or noodle

1/4 1/4 1/2
cup cup cup

products or
cooked cereal
grains or

an equivalent
quantity of
any combination
of bread
/bread alternate

MEAT AND
MEAT ALTERNATES

Lean meat
or poultry
or fish(5)

1 1 1/2 2
oz. oz. oz.

or
Cheese

1 1 1/2 2
oz. oz. oz.

or
Eggs

1 1 1 egg
egg egg egg

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

or
Cooked dry
beans or peas

1/4 3/8 1/2
cup cup cup

or
Peanut butter
or an

2 3 4
tbsp. tbsp. tbsp.

equivalent quantity
of any combination
of meat/meat
alternate

(1) Children age 12 and up may be served adult-size portions based on the greater food needs of older boys and girls, but shall be served not less than the minimum quantities specified for children age 6 to 12.
(2) For purposes of the requirements outlined, a cup means a standard measuring cup.

(3) Bread, pasta, or noodle products and cereal grains shall be whole-grain or enriched. Cornbread, biscuits, rolls, muffins, etc., shall be made with whole-grain or enriched meal or flour. Cereal shall be whole-grain or enriched or fortified.

(4) Serve 2 or more kinds of vegetable(s) and/or fruit(s). Full strength vegetable or fruit juice may be counted to meet not more than one-half of this requirement.

(5) Cooked lean meat without bone.

NOTICE OF ADOPTED RULES

Section 408. APPENDIX C Minimum Equipment and Supplies - Preschool Programs

PERMIT	LICENSE
	(additional equipment and supplies)

- Furniture:**
1. Sufficient tables and chairs with backs for children (one chair per child-no folding chairs).
 2. One cot per licensed capacity.
 3. First-aid kit.
 4. Cot with blanket (for ill child).
 5. Chair with backs (for staff).
 6. Low open shelves and bookcases (one foot per child).
 7. Space/equipment for maintenance of children's records.
 8. Individual spaces for outer clothing.
 9. Area rug or carpeting.
- Active, large-muscle Play: (for indoors)**
1. Large building blocks (May be of non-durable materials)
 2. Two pieces of durable large-muscle equipment such as:
 - climber
 - rocking boat
 - triangle set
 - tunnel
 - walking plank
 - wheel toys

- Active, large-muscle Play: (for outdoors)**
1. Two pieces of durable large-muscle equipment such as:
 - climber
 - slide
 - large wheel toys
 - swing
 - sand-box
 - water play materials
 - balls
- Art and music activities:**
1. Phonograph
 2. Records-At least six
 3. One double easel.
- Dramatic Play:**
1. Small blocks
 2. Three small durable transportation toys

- Ponder Play:**
1. Books-one per every child.
 2. Puzzles-one per every four children.
 3. Cognitive games-one per every four children: e.g., number concepts, letter concepts, shapes concepts, size concepts, color concepts.
- Expendable supplies:**
1. Clay or playdough.
 2. Tempera or finger paints (non-toxic).
 3. Paper (colored and white).
 4. Paste (non-toxic).
 5. Scraps-collage materials.
 6. Paint brushes.
 7. Crayons.
 8. Blunt scissors.
 9. Aprons-smocks.
- Fine-motor Development:**
1. Manipulative toys-one per every four children: e.g., pegs and pegboards, beads and strings, interlocking plastic forms, puzzles, nesting blocks.
 2. Sand or water play equipment.
 1. Pictures.
 2. Bulletin boards.
 3. Flannel board and flannel sets.
 1. Dishes, silverware, and cups, if meals are to be served.

- PERMIT**
3. One spontaneous dramatic play area with at least two pieces of permanent equipment: pretend area work bench (woodwork and tools)
 4. Accessories: dolls, dishes, pots and pans.
 1. Books-one per every child.
 2. Puzzles-one per every four children.
 3. Cognitive games-one per every four children: e.g., number concepts, letter concepts, shapes concepts, size concepts, color concepts.
 5. Dress-up clothes.
 1. Two per every child.
 2. One per every two children.
 - 2a. Puzzle rack.
 3. One per every two children.
 4. Science items: e.g., magnet, magnifying glass, pets, plants.
- LICENSE**
- (additional equipment and supplies)
3. At least two areas for spontaneous dramatic play, each having at least three pieces of equipment.
 4. At least one full-length mirror.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

Section 408. APPENDIX D Minimum Equipment and Supplies - Infant and Toddler Programs

- | INFANT PROGRAMS | TODDLER PROGRAMS |
|--|---|
| <p>Furnishings:</p> <ol style="list-style-type: none"> 1. Sufficient infant-sized tables and chairs with backs for infants able to sit alone. 2. One chair per infant; no folding chairs. 3. One crib with mattress and blanket per infant in attendance. 4. Ten-unit first-aid kit. 5. Crib with mattress and blanket for ill infant. 6. Chairs with backs (for staff). 7. Low open shelves and bookcases (one foot per child). 8. Space and equipment for maintenance of children's records. 9. Adult rocker. 10. Individual space for outer clothing. 11. High chairs. 12. Infant seats. 13. Baby walkers (optional). 14. Bathing tub. 15. Changing table with changeable covering. 16. Diaper pail with liners. 17. Area rug or carpeting. 18. Play pens (optional). | <ol style="list-style-type: none"> 1. Same as furniture for preschool programs plus: 2. Training chairs. (Stackable cots may be substituted for napping.) |
18. Gates as needed for safety.
 19. Refrigerator.
 20. Large building blocks (may be of non-durable material)
 21. Five pieces of durable large-muscle equipment such as:
 Baby bouncers
 Large turning balls
 Body wheels
 Riding stools
 22. Large open plastic ball.

Active large-muscle play:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF ADOPTED RULES

- | INFANT PROGRAMS | TODDLER PROGRAMS |
|--|---|
| <p>Art and music activities:</p> <ol style="list-style-type: none"> 4. Water-play equipment 1. Phonograph 2. Records-at least six. 3. Musical pull-toys. 4. Rattles. 5. Drum (without stocks). <p>FINE MOTOR DEVELOPMENT:</p> <ol style="list-style-type: none"> 1. Matching and feeling toys -one per every two children such as:
 plastic clutch toys
 form toys
 rattles
 pull toys
 feeling balls 2. Manipulative toys-one per every two children such as:
 teething toys
 wooden rattles
 shape toys
 clutch balls <p>Language Development:</p> <ol style="list-style-type: none"> 1. Pictures. 2. Bulletin boards. | <p>CLIMBER
 SAME AS PRESCHOOL PROGRAMS.</p> <p>SAME AS PRESCHOOL PROGRAMS.</p> <p>SAME AS PRESCHOOL PROGRAMS.</p> <p>SAME AS PRESCHOOL PROGRAMS.</p> <p>LINENS AND SUPPLIES:</p> <ol style="list-style-type: none"> 1. For each crib: bumpers, sheets (cotton, plus rubber and/or plastic), blankets 2. Bath towels 3. Wash cloths. 4. Diapers. 5. Cover(s) for changing table. 6. Sterile cotton balls 7. Facial tissues. 8. Soap. 9. Petroleum jelly or bland diaper-rash ointment. 10. Rubber-bulk ear syringe with blunt plastic or rubber tip. 11. Bottle warmer. |

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Training Services for the Disadvantaged
- 2) Code Citation: 56 Ill. Adm. Code 2610
- 3) Section Numbers: Adopted Action:
2610.100 Amendment
2610.130 Amendment
- 4) Statutory Authority: Implementing Sections 106 and 165 of the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982, as amended P.L. 97-404, effective December 31, 1982; P.L. 99-496, effective October 16, 1986; P.L. 99-570, effective October 27, 1986; and P.L. 100-418, effective August 23, 1988); U.S. Department of Labor Regulations (53 FR 7256); and Section 46.41 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 46.41) and authorized by Sections 46.40(b) and 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, pars. 46.40(b) and 46.42).
- 5) Effective Date of Amendments: September 6, 1989
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Do these amendments contain incorporations by reference? Yes, under Section 6.02(a) of the Illinois Administrative Procedure Act.
- 8) Date Filed in Agency's Principal Office: September 5, 1989.
- 9) Notice of Proposal Published in Illinois Register: April 7, 1989, 13 Ill. Reg. 4366.
- 10) Has JCAR issued a Statement of Objections to these amendments? Yes.
A) Statement of Objection: August 18, 1989, 13 Ill. Reg. 13282
B) Agency Response: Sept. 22, 1989, 13 Ill. Reg. 15125
C) Date Agency Response Submitted for Approval to JCAR: August 28, 1989
- 11) Differences between proposal and final version:
Section 2610.100(a)
In the third sentence, replaced "sanction determinations" with "awards and sanctioning SDA performance".
Section 2610.100(a)(1)(B)
Inserted "title IIA" before "expenditures".
Section 2610.100(a)(3)(B)
Changed "include" to "are".

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

- Section 2610.100(a)(3)(D)
Inserted "title IIA" before "expenditures".
- Section 2610.100(b)(1)
In the second sentence, deleted ", with national departure points".
- Section 2610.100(b)(3)
Deleted the first three sentences of the subsection and rewrote the fourth sentence to read: "The Department has defined sanctioned and rewarded measures for PY'88 as follows:".
 - Section 2610.100(b)(4)
In the second sentence, changed "applying" to "adding".
 - Section 2610.100(b)(6)
In the first sentence, changed "outcomes" to "standards".
 - At the end of the second sentence, changed "Section 2610.100(b) of this Part" to "subsection(b) of this Section".
 - At the end of the third sentence, changed "Section 2610.100(b) of this Part" to "subsection(b) of this Section".
 - Section 2610.100(c)(2)
At the end of the first sentence, changed "Section 2610.100(b)" to "subsection(b) of this Section".
 - Section 2610.100(c)(3)(A)
In the fifth line, inserted "(see Section 2610.30)" after "allocation formula".
 - Section 2610.130(a)(1)
This subsection has been rewritten in part as follows: "All grantees shall adhere to the provisions contained in the Regulations of the Local Records Commission (44 Ill. Adm. Code 4000) and the Local Records Act....".
 - Section 2610.130(b)(1)
At the end of the subsection, changed "Sections 2610.130(c) and 2610.130(d) of this Part" to "subsections (c) and (d) of this Section".
 - Section 2610.130(b)(3)
At the end of the sentence, changed "Section 2610.130(e) of this Part" to "subsection(e) of this Section".
 - Section 2610.130(c)
In the next to the last line, replaced "Section 2610.130(b) of this Part" with "subsection(b) of this Section".

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

Section 2610.130(c)(3)(B)(xvi)

Inserted "Cumulative Hours" before the word "Override".

- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.
- 13) Will these amendments replace an emergency amendment currently in effect? No.
- 14) Are there any amendments pending on this Part? Yes.

Section Numbers: Proposed Action: Illinois Register Citation:
2610.60 Amendment April 14, 1989

2610.Appendix A New Section
13 Ill. Reg. 5017
April 14, 1989
13 Ill. Reg. 5017

- 15) Summary and Purpose of Amendments: Amendments to Section 2610.100 serve to update performance standards in accordance with the Department of Labor's (DOL) revised annual reporting requirements for programs under Title IIA and III of the Job Training Partnership Act. Amendments to Section 2610.130 revise the reports and recordkeeping requirements. All revisions to this rulemaking reflect changes issued by DOL in regulations published in the March 7, 1988 Federal Register (53 FR 7256-7267).

- 16) Information and questions regarding these adopted amendments shall be directed to:

Mr. Dennis R. Whetstone, Deputy Director
Department of Commerce and Community Affairs
Bureau of Program Administration
620 East Adams Street, 5th floor
Springfield, Illinois 62701
(217) 782-6136

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

TITLE 56: LABOR AND EMPLOYMENT

CHAPTER III: DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

PART 2610

TRAINING SERVICES FOR THE DISADVANTAGED

Section	
2610.10	Legislative Base
2610.20	Definitions
2610.30	Allocation of Funds
2610.40	Local Job Training Plan
2610.50	Plan Development and Approval
2610.60	Coordination Criteria
2610.70	Allowable Activities
2610.80	Eligibility Requirements
2610.90	Waivers of Limitation of Cost
2610.100	Performance Standards
2610.110	Grievance Procedure
2610.120	Non-discrimination
2610.130	Reports and Recordkeeping Requirements
2610.140	Administrative Requirements
2610.Appendix A	Minimum Sample Sizes for Follow-Up (Repealed)
2610.Appendix B	Instructions: Worksheet for Adjusting Follow-Up Performance Measures for Non-Response Bias (Repealed)

AUTHORITY: Implementing Sections 46.41 and 46.49 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, pars. 46.41 and 46.49) and the Job Training Partnership Act (P.L. 97-300, effective October 13, 1982, as amended by P.L. 97-404, effective December 31, 1982; P.L. 99-496, effective October 16, 1986; P.L. 99-570, effective October 27, 1986; and P.L. 100-418, effective August 23, 1988) and authorized by Sections 46.40(b) and 46.42 of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, pars. 46.40(b) and 46.42).

SOURCE: Adopted at 8 Ill. Reg. 17819, effective September 14, 1984; amended at 9 Ill. Reg. 6119, effective April 19, 1985; amended at 9 Ill. Reg. 13072, effective August 12, 1985; amended at 10 Ill. Reg. 4816, effective March 11, 1986; emergency amendments at 10 Ill. Reg. 12780, effective July 10, 1986 for a maximum of 150 days; amended at 11 Ill. Reg. 2738, effective January 26, 1987; amended at 11 Ill. Reg. 11954, effective July 7, 1987; amended at 12 Ill. Reg. 4128, effective February 8, 1988; amended at 13 Ill. Reg. 14875, effective September 6, 1989.

Section 2610.100 Performance Standards

- a) -Establishment-of-the-Performance-Standards-System---in-accordance-with-the-requirements-of-Section-106-of-the-Act-and-28-CFR-629-46 (1983)-the-Department-shall-implement-a-performance-standards

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

system for Service-Delivery Areas-receiving funds under Title IIA---The Secretary's seven-performance standards shall be adjusted for each SDA using the Secretary's adjustment model. The Department will not make any further adjustments in SDAs performance expectations beyond the establishment of the performance ranges---The Secretary's Adjustment Model is a statistical planning model which uses multiple regression techniques to predict the expected performance of Service Delivery Areas on each of seven measures of performance under JPPA. The model adjusts for local economic conditions and the characteristics of the participants served by the Service Delivery Area. The weighted values in the model have been developed by the Department of Labor based on past experience in employment and training programs. Application of the Secretary's adjustment model results in a singular performance expectation for each of the Secretary's performance standards. Beginning with Program Year 1984 (July 1, 1984 - June 30, 1985) the Department shall establish a range of performance above and below the performance expectation generated by the Secretary's adjustment model. The lower and upper performance expectations of the performance range shall be determined by applying the maximum Secretary's tolerance level adjustment (negative or positive percent respectively) to the performance expectation generated by the Secretary's adjustment model. The Department's application of the Secretary's tolerance level adjustment shall result in the following three performance ranges:

- 1) Below the lower expectation---SDAs with end of program-year performance below the lower performance expectation for any of the seven performance standards shall have FAILED to meet performance for that standard. The lower performance expectation is derived by subtracting the negative tolerance level adjustment value from the performance expectations generated by the Secretary's adjustment model.
- 2) Between the lower and upper expectation---SDAs with end of program-year performance between the lower and upper performance expectations for any of the seven performance standards shall have MET performance for that standard.
- 3) Above the upper expectation---SDAs with end of program-year performance above the upper performance expectation for any of the seven performance standards shall have EXCEEDED performance for that standard. The upper performance expectation is derived by adding the positive tolerance level adjustment value to the performance expectations generated by the Secretary's adjustment model.

b) Secretary's Performance Standards

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

- 1) The Secretary's seven-performance standards have been divided into two categories which reflect their relative importance to the goals and purpose of the Job Training Partnership Act:

A) Primary Standards

- i) Adult-Entered-Employment
- ii) Cost-per-Adult-Entered-Employment
- iii) Youth-Positive-Termination-Rate--or--Youth-Entered-Employment-Rate

B) Secondary Standards

- i) Adult-Average-Wage-at-Placement
- ii) Adult-Welfare-Entered-Employment-Rate
- iii) Youth-Cost-per-Positive-Termination
- iv) Youth-Entered-Employment-Rate-or-Youth-Positive-Termination-Rate

- 2) For a SDA to qualify as having met performance standards for a program year, the SDA shall meet three primary standards and two of the secondary standards. The youth standard specified in Section 2610.100(c)(2)(c) which is not used as a primary standard for the review of performance specified in Section 2610.100(d) of this Part shall be considered a secondary standard. A program which does not achieve or exceed the lower parameter on one or more of the primary standards and/or three or more of the secondary standards shall be considered as having failed to meet performance standards.

- c) Review of Planned Performance---The Department of Labor Secretary's adjustment model shall be used to review a service delivery area plan with respect to the following measures:

1) Audits

- A) Entered-Employment-Rate---Number-of-adults-who entered employment as a percentage of the number of adults terminated;

- B) Cost-Per-Entered-Employment---Total expenditures including administrative cost for adults divided by the number of adults who entered employment;

- C) Average-Wage-at-Placement---Average wage for all adults who entered employment at the time of termination; and

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

B) Welfare-Entered-Employment-Rate -- Number-of-adult-welfare-recipients--who-entered-employment--at-termination-as-a-percentage-of-the-number-of-adult-welfare-recipients-who-terminated;

2) Youth

A) Entered-Employment-Rate -- The-number-of-youth-who-entered-employment-as-a-percentage-of-the-number-of-youth-terminated;

B) Positive-Termination-Rate -- Number-of-youth-who-entered-employment-at-termination-PBUS-the-number-of-youth-who-met-one-of-the-youth-employability-enhancement--definitions--at-termination--as-a-percentage-of-the-total-youth-who-terminated;-and

C) Cost-per-Positive-Termination -- Total-expenditures-including-administrative-cost-for-youth-divided-by-the-number-of-youth-who-entered-employment--at-termination-PBUS-the-number-of-youth-who-met-one-of-the-youth-employability-enhancement-definitions-at-termination;

d) Review-of-Actual-Performance -- Beginning-with-Program-Year-1984 performance-the-Department-shall-calculate-performance-outcomes-for-each-SBA-based-on-actual-terminer-characteristics; average-weeks-of-participation-in-the-program-and-local-economic-data-in accordance-with-the-Secretary's-adjustment-model--The-Department-shall-compare-each-SBA's-actual-performance-outcomes-with-the-performance-standards-derived-from-the-model-for-each-of-the-seven-performance-measures-in-accordance-with-the-performance-ranges-specified-in-Section-2610-100(a); --The-results-of-this-comparison-shall-be-used-to-determine-which-SBAs-have-met performance-standards--and-which-SBAs-have-failed--to-meet performance-standards-as-specified-in-Section-2610-100(b);

e) Award-of-Incentive-Grants

1) To-qualify-to-receive-an-incentive-grant--a-SBA-shall-first meet--performance--standards--as-specified--in-Section-2610-100(b)-of-this-Part--Such-a-SBA-shall-be-eligible-for an-incentive-award-if-it-exceeds-any-standard-and-an additional-award-for-each-standard-exceeded;

2) Incentive-funds-shall-be-divided-into-two-portions-as follows:

A) One-third-shall-be-allocated-among-qualifying-SBAs

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

that-exceed-one-or-more-standards; --The-amount-of-this-award-shall-be-based-on-each-qualifying-SBAs share-of-the-title-IIA-allocation-formula-relative-to all-qualifying-SBAs-which-exceeded-one-or-more standards;

B) Two-thirds-shall-be-allocated-among-qualifying-SBAs that-exceed-one-or-more-standards-based-on-the-number-of-standards-exceeded-and-the-extent-to-which-each standard-is-exceeded; --This-amount-shall-be-divided equally-into-seven-shares-with-one-share-associated with-each-standard;

3) Each-of-the-seven-shares-under-subsection-(e)(2)(B)-is further-divided-into-five-levels; --The-levels-are-as follows:

Begree-to-which-Standard	Percentage-of-Incentive
Exceeded-Performance	Grant-Funds-Available
1-10%	-----60%
11-20%	-----10%
21-30%	-----10%
31-40%	-----10%
41%-and-above	-----10%

4) The-amount-of-funds-awarded-under-subsection-(e)(2)(B)-for each-standard-shall-be-based-on-the-qualifying-SBA's-share of-the-title-IIA-allocation-formula--relative-to-all qualifying-SBAs-which-exceeded-the-standard; --The-amount-of the-award-will-also-be-graduated-to-correspond-with-the degree-to-which-each-standard-is-exceeded;

5) The-sum-of-the-amounts-determined-to-be-awarded-from-the funds-distributed-under-subsections-(e)(2)(A)-and-(B)-shall equal-the-total-incentive-grant-for-the-SBA;

6) Incentive-grant-funds-carried-over-from-prior-years-shall be-awarded-to-qualifying-SBAs-on-the-basis-of-subsection (e)(2)(A);

a) Establishment of the Performance Standards System - In accordance with the requirements of Section 106 of the Act the Department shall prescribe performance standards for adult and youth training programs under Title IIA and dislocated worker programs under Title III of JTPA. The U.S. Department of Labor (USDOL) issued current directives on performance standards requirements in the March 7, 1988 edition of the Federal Register (53 FR 7256). Governors are required to select eight of the twelve USDOL performance standards measures to evaluate local program

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

performance for purposes of making incentive awards and sanctioning SDA performance. Although governors are required to use the twelve performance measures imposed by USDOL, governors are permitted, within guidelines established by USDOL, to adjust national standards in setting the performance expectations for the SDAs. In light of this flexibility the State of Illinois has developed alternative performance standards models based on statewide and regional data. The performance standards are based on statistical planning models which use multiple regression techniques to predict expected performance of SDAs for each measure of performance. The models adjust for local economic conditions and the characteristics of the participants served by the SDA. The weighted values in the model have been based on prior performance of the JTPA. Application of the adjustment models result in a singular performance expectation (model adjusted value) for each of the performance measures. The twelve performance measures used for program evaluation reflect a combination of measures using the USDOL model, State of Illinois model, and Region V model. The twelve measures, and the model type used, are as follows:

1) Adult

- A) Entered Employment Rate (AER) - Number of adults who entered employment at termination as a percentage of the total number of adults who terminated (Illinois model).
- B) Cost per Entered Employment (ACPEE) - Total Title IIA expenditures for adults divided by the total number of adults who entered employment (Region V model).
- C) Average Wage at Placement (AWAP) - Average hourly wage for all adults who entered employment at the time of termination (Illinois model).
- D) Welfare Entered Employment Rate (WEER) - Number of adult welfare recipients who entered employment at termination as a percentage of the total number of adult welfare recipients who terminated (Illinois model).

2) Follow-up

- A) Follow-up Employment Rate (AFER) - Total number of adult respondents who were employed (full-time or part-time) during the 13th full calendar week after termination, divided by the total number of adult respondents (i.e., terminations who completed follow-up

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

interviews) (USDOL model).

- B) Welfare Follow-up Employment Rate (WFER) - Total number of adult welfare respondents who were employed (full-time or part-time) during the 13th full calendar week after termination, divided by the total number of adult welfare respondents (i.e., terminations who completed follow-up interviews) (USDOL model).
- C) Average Weekly Earnings at Follow-up (AFEARN) - Total weekly earnings for all adult respondents employed during the 13th full calendar week after termination, divided by the total number of adult respondents employed at the time of follow-up (USDOL model).
- D) Average Number of Weeks Worked in Follow-up Period (APFW) - Total number of weeks worked (full-time or part-time) during the 13 full calendar weeks after termination for all adult respondents who worked, divided by the total number of all adult respondents, whether or not they worked any time during this 13-week follow-up period (USDOL model).
- 3) Youth
- A) Entered Employment Rate (YEER) - Number of youth who entered employment at termination as a percentage of the total number of youth who terminated (Illinois model).
- B) Employability Enhancement Rate (YEEN) - Number of youth who attained one of the employability enhancements at termination whether or not they also obtained a job as a percentage of the total number of youth who terminated (USDOL model). Youth Employability Enhancements are:
- i) Attained PIC-Recognized Youth Employment Competencies;
- ii) Entered Non-Title II Training;
- iii) Returned to Full-Time School;
- iv) Completed Major Level of Education; and
- v) Completed Program Objectives (14-15 year olds).
- C) Positive Termination Rate (YFTR) - Number of youth

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

who entered employment or attained one of the youth employability enhancements at termination as a percentage of the total number of youth who terminated (Illinois model).

- D) Cost per Positive Termination (YCPPT) - Total Title IIA expenditures for youth divided by the total number of youth who either entered employment or met one of the five employability enhancements (Region V model).

b) Performance Standards Policy

- 1) State of Illinois models will be used for establishing the local performance standard, if available. Region V models will be used for the cost measures. USDOL models will be used where state models or regional models are not as yet available.

- 2) Departure points for each measure will be based on the 25th percentile of Illinois performance, with the exception of the two cost measures (ACPEE and YCPPT), and YEEN. The national departure points will be used for these measures. Tolerance limits will be set at the 95th percent confidence interval.

- 3) The Department has defined sanctioned and rewarded measures for FY'88 as follows:

Sanctioned Measures	Rewarded Measures
AFER	WEER
WEER	AWAP
AWAP	YEER
ACPEE	YEEN
YEER	AFER
YPTR	
YCPPT	
AFER	

- 4) The Department shall establish a range of performance above and below the performance expectation generated by the adjustment model. The upper and lower limits of this range shall be determined by adding the tolerance level adjustment (negative and positive percent respectively) to the model adjusted value.

- 5) To qualify as having met performance standards, an SDA must meet or exceed the local performance standard for any five of the eight sanctioned performance measures. In order for

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

an SDA to "meet" the local performance standard, the performance measure outcome associated with the standard must be within the tolerance level range band, as established when the tolerance range value is applied to the model adjusted performance standard. All noncost measure outcomes falling below the tolerance level lower band constitute "failure" of the standard, while all noncost measure outcomes above the upper band of the tolerance level constitute "exceeding" the performance standard. For the cost measures, the inverse applies. The performance outcome as it relates to the postprogram follow-up measures may be adjusted upward or downward depending on calculation of the nonresponse bias adjustment. The nonresponse bias adjustment is only required when the difference in response rates between those terminees who were employed and those who were not employed at termination exceeds five percentage points. If the difference between the response rates is five percentage points or less the nonresponse bias adjustment will not be invoked.

- 6) The Department shall calculate performance standards for each SDA based on actual terminee characteristics, average weeks of program participation and local economic data in accordance with the appropriate adjustment model. The Department shall compare each SDA's actual performance outcome with the performance standards derived from the model for each of the performance measures in accordance with the performance ranges specified in subsection(b) of this Section. The results of this comparison shall be used to determine which SDAs have met performance standards and which SDAs have failed to meet performance standards as specified in subsection(b) of this Section.

c) Award of Incentive Grants

- 1) The total amount of funds available will be determined by taking
- A) 75% of the total 6% allotment for the current program year;
 - B) plus those 6% funds not allocated for incentive grants from the prior year;
 - C) plus the unused portion of the funds set aside for technical assistance from the prior year;
 - D) plus any deobligated funds from the prior year.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

2) To qualify to receive an incentive grant, an SDA must first meet or exceed the standard for at least five of the eight sanctioned performance measures as described in subsection(b) of this Section. A qualifying SDA is then eligible for an incentive award if it exceeds any one of the five rewarded measures and will receive an additional award for each rewarded measure based on the degree to which performance exceeded the upper band of the tolerance level.

3) New PY'88 incentive funds will be divided into two portions as follows:

A) One-third will be allocated among qualifying SDAs that exceeded one or more of the five rewarded performance measures. The amount of this award will be based on each qualifying SDAs share of the Title IIA allocation formula (see Section 2610.30) relative to all qualifying SDAs who exceeded one or more of the five rewarded measures.

B) Two-thirds will be allocated among qualifying SDAs that exceeded one or more rewarded measures based on the number of rewarded measures exceeded and the extent to which each performance exceeded the standard. This amount will be divided equally into five shares with one share associated with each measure. Each of these five shares is further divided into four levels. The allocation of funds at each level will be based on the qualifying SDA's relative share of the JTPA Title IIA allocation formula applied against each level of available funds for each measure exceeded. These levels are as follows:

Degree to which performance exceeded the standard	Percentage of incentive grant funds available
>0% - 9.99%	60%
10% - 14.99%	15%
15% - 19.99%	15%
20% and above	10%

C) Unallocated incentive grant funds, unused technical assistance funds, and deobligated funds carried over from prior years will be awarded to qualifying SDAs based on the methodology described in subsection (c)(3)(A).

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

D) The sum of the amounts determined to be awarded from the funds distributed under subsections (c)(3)(A), (B), and (C) will equal the total incentive grant for the SDA.

(Source: Amended at 13 Ill. Reg. 14875, effective September 6, 1989 Section 2610.130 Reports and Recordkeeping Requirements

a) Record Retention Requirements

1) All grantees shall adhere to the provisions contained in the Regulations of the Local Records Commission (codified as 44 Ill. Adm. Code 4000) of the Local Records Commission and the Local Records Act (Ill. Rev. Stat. 1985 1987, ch. 116, par. 43.102 et seq.).

2) Additionally, the provisions of the 20 CFR 629.35 (1983) are applicable.

b) Management Information System - In accordance with the requirements of Section 165 of the Act, the Department shall develop and implement a statewide Management Information System (MIS).

1) All participant-serving grantees under the Act shall participate in the Department's management information system and provide to the Department and maintain in document files for each participant, information elements as specified in Sections--2610-130 subsections(c) and 2610-130(d) of this Part Section.

2) The statewide MIS shall be an automated system for the collection, processing and reporting of information on participants relating to eligibility determination, demographic characteristics, performance measures (pre- and post-program outcomes), employability, participation in activities and services under the Act, termination, and follow-up.

3) The system shall collect required expenditure reports as specified in Section 2610-130 subsection(e) of this Part Section.

4) The Department shall install telecommunications lines and remote data entry equipment where such is required to support collection of the information requirements as specified in this Part. The determination regarding need for equipment will be based primarily on the number of

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

participants to be served.

- 5) Standardized instructions and data collection and data entry forms shall be issued by the Department, consistent with the information requirements as specified in this Part.

c) Participant Record Requirements - Participant record requirements shall be promulgated in order for the Department to comply with the following Sections of the Act: 108 (b)(3); 121 (c)(3); 123 (c)(1); 123 (c)(3); 124 (d); 141 (e); 141 (k); 165; 167 (a); 203; 204 (11); 205 (b)(1); 205 (c); 205 (d); 253; 302 (a); and 504. Each participant-serving grantee under the Act shall collect and retain file documentation for each participant as specified in this section. Each participant-serving grantee shall collect and maintain file documentation sufficient to verify the eligibility of individuals for participation in titles and programs under the Act. This type of documentation consists of the applicant record (i.e., application form, work history, family income statement, eligibility certification checklists), documents verifying elements of the applicant record which pertain to eligibility (for example, tax returns, check stubs, statements from government agencies indicating eligibility for public assistance), and verification of collateral contact (for example, records of SDA employee conversations with third parties). Grantees shall not be required to maintain a work history form for youth enrolled in programs authorized under Section 251 of the Act (29 U.S.C. 1631). The Department shall issue standardized forms and procedures for the collection and retention of each element of the participant record, including a technical assistance guide. Participant record requirements shall be consistent with the Management Information System requirements under Section 2610-130 subsection(b) of this Part Section. The specific elements of the participant record are as follows:

1) JTPA Application Information

A) Identification Data

- i) Service Delivery Area/Dislocated Worker Center
- ii) Client ID
- iii) Application Date
- iv) Determination of Client Application Status
- v) Name

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

- vi) Address (Street, City, State, Zip Code and County)
- vii) Telephone Number

B) Demographic/Descriptive Data

- i) Sex
- ii) Date of Birth
- iii) Age
- iv) Ethnic Group: White (Not-Hispanic); Black (Not-Hispanic); Hispanic; Asian/Pacific Islander; or American Indian/Alaskan Native
- v) Education Status: High School Dropout; Student (High School or Less); High School Graduate (or GED); or Post High School Education

C) Eligibility Determination and Documentation Data

- i) Single Head of Household with Dependent Children (Yes/No)
- ii) Authorized to Work in U.S.: Not Authorized; U.S. Citizen; Registered Alien/Refugee
- iii) Selective Service Registrant Compliance
- iv) Barriers to Employment: Limited English Proficiency; Displaced Homemaker; School Dropout; Teenage Parent; Handicapped; Older Worker; Veteran; Offender; or Other (Specify)
- v) Economically Disadvantaged (Yes/No): Meets Income Criteria; Welfare Recipient; Foster Child; or Food Stamp Recipient; or Homeless
- vi) Family Income
- vii) Number in Family
- viii) Enrolled Under 10% Criteria (Yes/No)
- ix) Type of Welfare Received (Yes/No): AFDC; WTN Registrant; General Assistance; Refugee Assistance; or SSI (SSA Title XVI)

- x) Highest School Grade Completed
- xi) Part-time Student
- xii) Educational Achievements: Student Meeting Attendance/Achievement Levels; Student Not Meeting Attendance/Achievement Levels; or High School Graduate with Educational Deficiencies
- xiii) Post High School Plans: Plan to Enter Full-Time Labor Market or Plan to Continue with Post Secondary Education
- xiii) Employment Experience (Yes/No): Completed Equivalent of Pre-Employment Skills Training or Received Paid Employment No Greater than 250 Hours
- xiv) Client Determined Eligible for Program (Yes/No): Title IIA, Adult/Youth Training Program; Title IIA, Education for Employment; Title IIA, Entry Employment Experience; Title IIA, School to Work Transition; Title IIA, Limited Work Experience; Title IIA, Pre-Employment Skills/Training; Title IIA, Try-out Employment; Title IIB, Summer Youth Program; Title IBE, Section 123(82 Program); or Title IBO, Section 124 (Older Workers)
- xv) Termination/Laid Off from Employment: Terminated or Laid Off; Received Notice of Termination or Layoff; or Terminated As a Result of Plant Closure; Receive Notification of Termination as a Result of Plant Closure; or None of Above
- xvi) Termination or Notification Date
- xvii) Primary Occupation Standard Occupational Classifications (SOC) Codes
- xviii) Total Months Employed in All Previous Primary Occupation(s)
- xix) Months Since Last Employed in Last Previous Primary Occupation
- xx) Weeks Unemployed (Since Any Employment)
- xxi) Documented Job Search Criteria Met (Yes/No)
- xxii) Weeks Unemployed (Out of Last 20 Weeks)
- xxiii) Client Eligibility for Title III, Dislocated Worker Training Assistance (Yes/No)
- D) Programmatic Data
- i) Referral Sources
- ii) Transfer from Other JTPA Title (Yes/No)
- iii) Referred-to-Other-Agency (Yes/No)
- iv) Name of Agency to Which Referral and Date of Referral
- E) Performance Assessment Data
- i) Labor Force Status: Unemployed; Employed; Not in Labor Force; Unemployed 15 or More Weeks of Prior 26 Weeks
- ii) Unemployment Compensation Status: Eligible for Benefits; Receiving Benefits; or Exhausted Benefits
- iii) Minimal Work History
- iv) SOC Codes of Previous Occupations
- v) Months Received AFDC (Last 30 Months)
- vi) Labor-Force
- F) Certification and Recertification Signature: Signature of Applicant; Signature of Parent or Guardian (If Applicable); Relationship to Applicant; Signature of Interviewer; and Dates
- 2) Supplemental/Optional Record
- A) Supplemental Date
- i) Referral to Other Agency (Yes/No)
- ii) Name of Agency to Which Referral Was Made and Date of Referral

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

- iii) Reading Grade Level, Test Date and Deficiency Rating (Yes/No)
- iv) Mathematics Grade Level, Test Date and Deficiency Rating (Yes/No)
- v) Youth Competency Skill Area Deficiencies: Pre-employment/Work Maturity; Basic Educational Skills; Job Specific Skills

B) Optional Data

- i) Benefit Rating
- ii) Need Rating
- iii) Ward of State (Yes/No)
- iv) Migrant Worker (Yes/No)
- v) User Application Fields
- vi) User Target Population Fields

C) Collateral Contacts (Optional)

- i) Contact Name
- ii) Contact Address (Street, City, State, Zip Code)
- iii) Telephone Number
- iv) Relationship to Client

3) 2) Training/Services Record

A) Identification Data

- i) Service Delivery Area/Dislocated Worker Center
- ii) Client ID
- iii) Application Date
- iv) JTPA Title
- v) Client Name

B) Training/Service Code

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

- i) Training/Service Code
- ii) Sequence Number
- iii) Service Provider
- iv) Grant Number
- v) Sent to Other Provider (Yes/No)
- vi) Planned Start Date
- vii) Actual Start Date
- viii) Planned End Date
- ix) Actual End Date
- x) SOC Code
- xi) Classification of Industrial Program (CIP) Code
- xii) Try-Out Employment Site
- xiii) Hourly Wage
- xiv) Scheduled Hours
- xv) Cumulative Hours
- xvi) Cumulative Hours Override
- xvii) Successfully Completed (Yes/No)

C) Signatures

- i) Signature of Individual Completing Form
- ii) Date

4) 3) Termination Record

A) Identification Data

- i) Service Delivery Area/Dislocated Worker Center
- ii) Client ID
- iii) Application Date

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

- iv) JTPA Title
- v) Client Name
- B) Termination Data
- i) Termination Date

iii) Termination Reason: --Entered-Employment --(i.e., Entered --Unsubsidized --Employment, --Entered Registered Apprenticeship Program, or Entered Armed Forces); --Youth-Employability Enhancement (i.e., --Entered Non-Title II Training, --Returned to --Full-Time --School; --Age --14-15 --Completed Program Objectives; --Completed Major Level of Education; or Attained Youth Competencies) and other (i.e., --Other Reasons or Transfer to Other titles); First Termination Reason: Entered Employment (i.e., Entered Unsubsidized Employment, Entered Registered Apprenticeship Program, Entered Armed Forces, Recalled, or Continued Unsubsidized Employment); Youth Employability Enhancement (i.e., Entered Non-Title II Training, Returned to Full Time School, Age 14-15 Completed Program Objectives, Completed Major Level of Education, or Attained Youth Competencies); and Other (i.e., Continued as Full Time Student, Ineligible, Dropout, Transfer to Other Title/Subpart, or Other Reason).

iii) Second Termination Reason (Title IIA Youth Only): Youth Employability Enhancements (i.e., Entered Non-Title II Training, Returned to Full Time School, Age 14-15 Completed Program Objectives, Completed Major Level of Education, or Attained Youth Competencies).

iv) Youth Competency Attained (i.e., Pre-employment/Work Maturity Skills (Yes/No), Basic Education Skills (Yes/No), and Job Specific Skills (Yes/No)).

- iii) v) Principal Service Provider
- iv) vi) Principal Activity
- v) vii) Hired at Try-out Employment Site: Yes; No; or Not Applicable

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

- C) Employment Information
- i) Employment Start Date
- ii) Training Related
- iii) Job Title Description
- iii) iv) SOC Code
- iv) v) Hourly Wage
- v) vi) Scheduled Weekly Hours
- vi) vii) Employer
- vii) viii) Street and City Address of Employer
- viii) ix) State and Zip Code of Employer
- x) Telephone Number
- ix) xi) Standard Industrial Code Classification (SIC) Code
- xii) Contact
- D) Signatures
- i) Signature of Individual Completing Form

5) 4)

Provider Data

A) Identification Data

- i) Service Delivery Area/Dislocated Worker Center Code
- ii) Service Provider ID
- iii) JTPA Title
- B) Level 1 and 2 Provider Information
- i) Name
- ii) Street Address

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

- iii) State and Zip Code
- iv) County
- v) Allowable Training Activities/Services

C) Level 2 Provider Information

- i) CIP Codes
- ii) SOC Codes

d) Participant Follow-Up Data Collection Requirements - In accordance with the requirements of Sections 106 and 165 of the Act, and Annual Status Report for Title IIA and III programs effective July 1, 1986, the Department shall develop and implement a participant follow-up data collection system. The purpose of this system is to collect and report to the U.S. Department of Labor selected follow-up measures postprogram data which will be used by the Secretary of Labor as to support candidate measures for JTPA performance standards in Program Year 1988. In order to implement these measures, Title IIA and Title III grantees will be required to collect and report to the Department post-program data items for all adult trainees and adult welfare trainees as specified in this Part. The major elements of this system are as follows:

1) Outcome Measures - The post-program data collection requirements are based on the following outcome measures which together describe the labor market experiences of program trainees for the 13 week period after program termination:

- A) The employment rate during the 13th full calendar week after program termination.
 - B) The average gross weekly earnings of trainees employed during the 13th full calendar week after program termination.
 - C) The average number of weeks employed during the 13 post-program weeks.
- 2) Post-Program Timing
- A) Post-program data collection shall commence for participants terminating on or after July 1, 1986.
 - B) Follow-up data shall be collected for the 13th full

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

calendar week following termination from the program.

- C) Post-program data shall be collected for trainees whose 13th post-program week ends during the program year.
- D) Follow-up interviews of trainees shall commence during the first week of October 1986.
- E) Data collection is limited to a four week period from the 14th to the 17th week following termination. Follow-up may occur during the 18th week only when the trainee is located before the end of the 17th week.

3) Interview Group Selection

- A) Title IIA grantees must collect follow-up data for two groups: adults and adult welfare recipients.
- B) Title III grantees must collect follow-up data for all Title III trainees.
- C) The size of each of the above groups to be interviewed shall be determined by the number of planned trainees from each group during the period for which post-program data will be collected.
- D) If the number of planned trainees in any of the interview groups is equal to or less than 137, each trainee from that group must be included in the data collection effort. If the number of planned trainees exceeds 137, data on a sample of trainees may be collected.
- E) If sampling is used as a basis for determining which trainees will be interviewed, the sample must be as large as the minimum sample sizes specified by the U.S. Department of Labor Employment and Training Administration in its Follow - Up Technical Assistance Guide for Postprogram Data Collection Under the Job Training Partnership Act, Version 3.0, issued June, 1986, with no later amendments or editions. Samples must be drawn independently for each interview group and must be random.
- F) The Department will select the sample for the Title III program and will notify each Title III grantee of the trainees to be interviewed contract with a third

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

party for client interviews.

4) Methods for Terminee Contact

A) The follow-up data must be gathered by administering a questionnaire over the telephone or in person. Mail questionnaires may be used only in those cases where the terminee does not have a telephone or cannot be reached by telephone.

B) Contact must be made with the terminee directly.

5) Interview Questions - A standard set of questions must be asked of all respondents as follows: specified in the Exhibit found in USDOL regulations (53 FR 7265).

A) Did you work for pay during the week of (reference week)?

B) { "Yes" - Responses to question A }

i) How much did you get paid for work you did during that week?

ii) How many weeks did you work at all for pay during the 13 week period?

C) { "No" - Responses to question A }

i) Did you do any work for pay during the 13 week period?

ii) How many weeks did you work at all for pay during the 13 week period?

6) Response Rate Requirements and Non-Response Bias Adjustment -

A) A 70 percent minimum response rate is required for each of the following groups:

- i) Title IIA Adults Employed at Termination
- ii) Title IIA Adults Unemployed at Termination
- iii) Title IIA Adult Welfare Employed at Termination
- iv) Title IIA Adult Welfare Unemployed at Termination

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

v) Title III Employed at Termination

vi) Title III Unemployed at Termination

B) Prior to reporting the results of follow-up data collection to the Department, Title IIA and Title III grantees must adjust for the effects of non-response bias when the difference between the response rates attained for each of the above groups exceeds five percent. The adjustment method used shall be the one provided by the U.S. Department of Labor Employment and Training Administration in its Follow-Up Technical Assistance Guide for Postprogram Data Collection under the Job Training Partnership Act, Version 3.0, issued June, 1986, with no later amendments or editions.

7) Reporting - Grantees must report the results of their follow-up data collection activities to the Department on a quarterly basis. Data collected on clients with April 1, 1988 and later termination dates must be entered onto the JTPA II MIS. Title IIA grantees must enter the postprogram follow-up data themselves, but the Department will enter the Title III data collected.

e) Eligibility Review and Verification System - In accordance with the requirements of Section 165 of the Act and 20 CFR 629.43, effective April 15, 1983, the State shall implement an Eligibility Determination and Verification System for use by all grantees enrolling individuals under Title IIA and IIB of the JTPA. The State shall prescribe detailed instructions and forms to be used by grantees for certification of eligibility. The Eligibility Determination and Verification System shall consist of the following procedures:

1) Determination of Eligibility - Each grantee shall determine the eligibility of an applicant for JTPA titles and programs into which the applicant is to be enrolled. Grantees shall also determine the eligibility of a participant for enrollment in new JTPA programs after initial enrollment (e.g., exemplary youth programs). Enrollment into JTPA titles and programs shall be supported by documentary evidence. All documentary evidence shall be provided prior to enrollment of an applicant into JTPA or placement of a participant into a new JTPA program. Documentary evidence is defined as written confirmation of the applicant's status at the time of application. Should documentary evidence not be available, grantees may use collateral contacts (i.e., verbal confirmations) with

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

social service and other organizations to verify the status of applicant. Grantees are required to collect documentary evidence sufficient to support:

- A) the enrollment of an applicant into a Title under JTPA and,
- B) the placement of a participant into a new JTPA program.

2) Documentation Requirement for U.S. Citizens and Resident Aliens - Grantees may accept self-attestation as a basis for establishing if an applicant is an U.S. citizen. The status of applicants who identify themselves as resident aliens shall be documented.

3) Documentation of Selective Service Compliance - Grantees shall accept self-attestation as a basis for establishing if an applicant is in compliance with Section 3 of the Military Selective Service Act (50 U.S.C. App. 4530 (1982)). Grantees may adopt additional procedures to document compliance with this requirement; however, services under the Act shall not be withheld due to refusal of an applicant to comply with such optional procedures.

f) Financial Reporting Requirements - In accordance with the provisions of Section 164 of the Act and 20 CFR 629.35 (1983), each grantee under JTPA shall be required to submit expenditure reports to the Department as specified in this Part.

g) Reporting Detail

1) Expenditures shall be reported for the following categories:

- A) Training
 - i) Employment and Training Services
 - ii) Academic
 - iii) Vocational
 - iv) Limited Work Experience
 - v) Try-Out Employment
 - vi) On the Job Training (OJT)

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

vii) Other Training

B) Participant Support

- i) Limited Work Experience
- ii) Services and Materials: Child Care; Transportation; or Other Services and Materials
- iii) Work Experience
- iv) Needs-Based Payments
- v) Other Participant Support
- vi) Employment Generating Activities (EGA)

C) Administration

- i) Salaries and Wages
- ii) Staff Fringe Benefits
- iii) Facility Cost
- iv) Staff Travel
- v) Equipment
- vi) Indirect Cost
- vii) Other Direct Costs
- viii) Employment Generating Activities (EGA)

ix) Private Industry Council (PIC Cost) (Cost not described elsewhere in administrative cost line items)

x) Other

2) Reporting Level - An expenditure report detailing expenditures for Training, Participant Support and Administration (including specified subcategories) as defined in Section 2610.130(f) of this Part shall be submitted separately for Titles IIA and IIB.

3) Grantee Subgrantee Reporting

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF ADOPTED AMENDMENTS

A) Grantees shall maintain expenditure information on each of their subgrantees receiving Title II funds in sufficient detail to enable the grantee to produce an expenditure report for each of their subgrantees by the following expenditure categories:

- i) Training;
- ii) Participant Support;
- iii) Administration (in cases where the service providers are expending administrative funds); and
- iv) Total expenditures.

B) This information shall be produced and transmitted to the Department upon the request of the Department.

(Source: Amended at 13 Ill. Reg. 14875, effective Sept. 6, 1989.)

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENTS

1) The Heading of the Part: Administration of the Illinois Public Community College Act

2) Code Citation: 23 Ill. Adm. Code 1501

3) Section Numbers: Adopted Action:

1501.307 amendment
1501.309 amendment
1501.501 amendment
1501.503 amendment
1501.508 amendment
1501.517 new Section

4) Statutory Authority:

1501.307
1501.309
Ill. Rev. Stat. 1987, Ch. 122, Pars. 102-11, 102-12(h), and 102-16

1501.501
1501.503
1501.508

Ill. Rev. Stat. 1987, Ch. 122, Par. 102-16 and P.A. 1047

1501.517

Ill. Rev. Stat. 1987 and 1988 Supp., Ch. 122, Par. 102-16

5) Effective Date of Amendments: September 12, 1989

6) Does this Rulemaking contain an Automatic Repeal Date? No

7) Does this amendment contain incorporations by reference? No

8) Date Filed in Agency's Principal Office: August 1, 1989

9) Notice of Proposal Published in Illinois Register?

1501.307
1501.309

March 31, 1989, 13 Ill. Reg. 4087

1501.501
1501.503
1501.508

March 24, 1989, 13 Ill. Reg. 3517

1501.517

April 7, 1989, 13 Ill. Reg. 4394

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENTS

- 10) Has JCAR issued a Statement of Objections to these rules? No
- 11) Difference(s) between proposal and final version:
- 1501.307
1501.309
- Revised 1501.307(g)(2) and (3) (criteria for approval to offer courses out of state) to:
- 2) The college shall identify how the extension will be used by students to complete degree or certificate programs.
- 3) If the extension is offered for out-of-state students, the college shall submit a copy of a written request from the group desiring the service and assurance that no state or local tax monies will be used to provide such extensions.
- Added "51%" to 1501.309(d)(1)(B) and (C) to clarify the term "majority."
- 1501.501
1501.503
1501.508
- A statutory reference in the definition of the advanced technology equipment grant has been changed from "Ill. Rev. Stat., 1984 Supp., Ch. 122, Par. 102" to "Section 2-16.01 of the Act."
- 1501.517
- In 1501.517(a) "as certified by" has been changed to "such number is to be certified by."
- The second sentence of 1501.517(d) has been revised to read "Funds obligated prior to June 30 but unexpended by September 30 shall be returned to the ICCB by October 15 following the year for which the appropriation was made."
- A statutory reference has been added to 1501.517(e).
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENTS

15) Summary and Purpose of Amendments:

1501.307
1501.309

The proposed revisions to Section 1501.307, which specify the criteria for the approval of out-of-state extensions of curricula/credit courses, are intended to clarify what constitutes an out-of-state extension and to enable district or state residents enrolling in courses at these extensions to be claimed by the college for state funding.

The proposed revisions to Section 1501.309, which specify the criteria for a baccalaureate-transfer course, are to enable course articulation with private and/or out-of-state institutions to meet the ICCB articulation requirement if a majority of the community college's students transfer to those institutions.

1501.501
1501.503
1501.508

The purpose of this rulemaking is to make three changes to the Finance section of the Illinois Community College Board rules. The first is to rename the "disadvantaged student" grant program to "special populations" grant program to more accurately reflect the students served and services provided by recipients of the grant. The second is the elimination of language referring to "Business Assistance Grants," which are no longer in operation. The third change simply corrects a citation to a specific section of the rules in Section 1501.503.

1501.517

The proposed addition is designed to provide for administration of a restricted grant program to fund health insurance for community college retirees. Funding for the program is subject to appropriation by the General Assembly.

16) Information and questions regarding these adopted amendments shall be directed to:

David L. Steelman
Associate Director
Governmental Relations
Illinois Community College Board
509 South Sixth Street, Room 400
Springfield, Illinois 62701-1874
Telephone: (217) 785-0028

The full text of the Adopted Amendments begins on the next page:

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 1501

ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

SUBPART A: ILLINOIS COMMUNITY COLLEGE BOARD ADMINISTRATION

Section	
1501.101	Definition of Terms
1501.102	Advisory Groups
1501.103	Rule Adoption (Recodified)
1501.104	Manuals
1501.105	Advisory Opinions
1501.106	Executive Director
1501.107	Information Request (Recodified)
1501.108	Organization of ICCB (Recodified)
1501.109	Appearance at ICCB Meetings
1501.110	Appeal Procedure
1501.111	Reporting Requirements
1501.112	Certification of Organization
1501.113	Administration of Mandatory and Voluntary Annexations and New District Formations

SUBPART B: RECOGNITION

Section	
1501.201	Definition of Terms
1501.202	Recognition Provisions
1501.203	Evaluation
1501.204	Review and Appeal
1501.205	Recognition Standards

SUBPART C: PROGRAMS

Section	
1501.301	Definition of Terms
1501.302	Units of Instruction, Research, and Public Service
1501.303	Program Requirements
1501.304	Statewide and Regional Planning
1501.305	College, Branch, and Extension Centers
1501.306	State or Federal Institutions (Repealed)
1501.307	Cooperative Agreements and Contracts
1501.308	Reporting Requirements
1501.309	Course Classification and Applicability

SUBPART D: STUDENTS

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER VII: ILLINOIS COMMUNITY COLLEGE BOARD

PART 1501

ADMINISTRATION OF THE ILLINOIS PUBLIC COMMUNITY COLLEGE ACT

SUBPART E: FINANCE

Section	
1501.401	Definition of Terms
1501.402	Admission of Students
1501.403	Student Services
1501.404	Academic Records
1501.405	Student Evaluation
1501.406	Reporting Requirements
1501.501	Definition of Terms
1501.502	Financial Planning
1501.503	Audits
1501.504	Budgets
1501.505	Non-Resident Student Tuition Calculations
1501.506	Published Financial Statements
1501.507	Credit Hour Grants
1501.508	Bisadvantaged-Student Special Populations Grant
1501.509	Economic Development Grants
1501.510	Reporting Requirements
1501.511	Chart of Accounts
1501.514	Business Assistance Grants (Repealed)
1501.515	Advanced Technology Equipment Grant
1501.516	Repair and Renovation Grants
1501.517	Retirees Health Insurance Grants

SUBPART F: CAPITAL PROJECTS

Section	
1501.601	Definition of Terms
1501.602	Approval of Capital Projects
1501.603	State Funded Capital Projects
1501.604	Locally Funded Capital Projects
1501.605	Project Changes
1501.606	Progress Reports (Repealed)
1501.607	Reporting Requirements
1501.608	Approval of Projects in Section 3-20.301 of the Act
1501.609	Completion of Projects Under Section 3-20.3.01 of the Act

SUBPART G: STATE COMMUNITY COLLEGE

Section	
1501.701	Definitions of Terms
1501.702	Applicability
1501.703	Recognition
1501.704	Programs
1501.705	Finance
1501.706	Personnel

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENT(S)

1501.707 Facilities

SUBPART H: PERSONNEL

Section
1501.801 Definition of Terms
1501.802 Sabbatical Leaves

AUTHORITY: Implementing and authorized by Article II and Section 3-20.3.01 of the Public Community College Act (Ill. Rev. Stat. 1987 and 1988 Supp., ch. 122, pars. 102-1 et seq. and 102-2.3.01).

SOURCE: Adopted at 6 Ill. Reg. 14262, effective November 3, 1982; codified at 7 Ill. Reg. 2332; amended at 7 Ill. Reg. 16118, effective November 22, 1983; Sections 1501.103, 1501.107 and 1501.108 recodified to 2 Ill. Adm. Code 5175 at 8 Ill. Reg. 6032; amended at 8 Ill. Reg. 14262, effective July 25, 1984; amended at 8 Ill. Reg. 19383, effective September 28, 1984; emergency amendment at 8 Ill. Reg. 22603, effective November 7, 1984, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 24299, effective December 5, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 3691, effective March 13, 1985; amended at 9 Ill. Reg. 9470, effective June 11, 1985; amended at 9 Ill. Reg. 16813, effective October 21, 1985; amended at 10 Ill. Reg. 3612, effective January 31, 1986; amended at 10 Ill. Reg. 14658, effective August 22, 1986; amended at 11 Ill. Reg. 7606, effective April 8, 1987; amended at 11 Ill. Reg. 18150, effective October 27, 1987; amended at 12 Ill. Reg. 6660, effective March 25, 1988; amended at 12 Ill. Reg. 15973, effective September 23, 1988; amended at 12 Ill. Reg. 16699, effective September 23, 1988; amended at 12 Ill. Reg. 19691, effective November 15, 1988; amended at 13 Ill. Reg. 1182, effective January 13, 1989; amended at 13 Ill. Reg. 14904, effective September 12, 1989.

SUBPART C: PROGRAMS

Section 1501.307 Cooperative Agreements and Contracts

Cooperative agreements and contracts with other Illinois educational agencies and those out of state may be established for the purpose of providing more accessible instructional services to students and increasing efficiency in the use of educational resources, subject to the following conditions:

- a) A new unit of instruction to be offered by a community college solely through a cooperative agreement or contract with another educational agency is subject to approval by the ICCB as indicated in Section 1501.302.
- b) Agreements with Secondary Schools. If a community college enters into a cooperative agreement or contract with a secondary school to provide advanced or specialized secondary-level courses in either the academic or vocational field, the college shall charge the secondary school the per capita cost of offering such instruction, in which case the college shall not claim ICCB credit hour grants for these secondary

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENT(S)

school students, or the college shall charge the secondary school for secondary school student participation in accordance with a joint agreement between the college and the secondary school district under Section 10-22.20a of the School Code (Ill. Rev. Stat. 1987, ch. 122, par. 10-22.20a). When charges are made pursuant to a joint agreement, credit hour grants may be claimed in accordance with Section 1501.507.

- c) In-district Cooperative Agreements. Any cooperative agreement or contract entered into by a Board of Trustees to provide educational programs or services within its district for previously approved units of instruction, research, or public service shall be kept on file at the district central administrative office.
- d) Inter-district Cooperative Agreements: If a community college district enters into a cooperative agreement or contract with another community college district to accept students from the other district into one or more of its previously approved curricula on a reciprocal basis, the curricula included in the cooperative agreement or contract shall be listed in both college's catalogs and a copy of the listing shall be provided to the ICCB by July 1 annually.
- e) Extension of Credit Courses into Illinois Non-Community College District Territory: A college shall be granted approval annually to extend credit courses through a cooperative agreement or contract into non-community college district territory in Illinois provided such approval is requested on forms provided by the ICCB and provided the college reports annually on such approved extensions on forms provided by the ICCB.
- f) Extension of Curricula/Credit Courses into Another Community College District: A community college may extend previously approved curricula and/or credit courses into another community college district with approval of the other community college district. If a district in which military installations, correctional institutions, or other state or federal institutions are located elects not to provide previously approved units of instruction to these institutions, any other college may apply to the ICCB to do so. If more than one college applies, the ICCB will select a college using the following criteria:
 - 1) The proximity of the college to the institution.
 - 2) The availability at the college of the instructional units needed by the institution.
 - 3) The cost of providing the instructional units for the institution.
 - 4) The college's past experience in offering similar units of instruction.
- g) Extension of Curricula/Credit Course Out of State: Curricula and credit courses offered at out-of-state locations (except for field trips and travel that are in conjunction with a course offered within the district) must have prior annual approval by the ICCB. A community college shall be granted annual approval to offer previously approved curricula and/or credit courses out of state provided that it meets the following criteria: such--approval--is--requested--on--forms

provided-by-the-iccb-and-provided-the-college-reports-annually-on-such approved--extensions--on-forms-provided-by-the-iccb--Colleges-seeking approval-shall-provide-assurance-that-no-state--or--local--tax--monies will-be-used-to--provide--such--extensions--and-that-credit-courses provided-are-not-claimed-for-iccb-credit-hour-grants:

- 1) A request for approval including information about the curricula and courses, location of the proposed extension, projected enrollments, and projected funding is submitted on forms provided by the ICCB.
- 2) The college shall identify how the extension will be used by students to complete degree or certificate programs.
- 3) If the extension is offered for out-of-state students, the college shall submit a copy of a written request from the group desiring the service and assurance that no state or local tax monies will be used to provide such extensions.
- 4) The college shall submit annual reports of its out-of-state extensions, for the past fiscal year, on forms provided by the ICCB, by July 15 of each year.
- 5) The college shall request annual approval of its out-of-state extensions, on forms provided by the ICCB, prior to May 15 for the fiscal year beginning on the next July 1.

(Source: Amended at 13 Ill. Reg. 14904, effective September 12, 1989)

Section 1501.309 Course Classification and Applicability

- a) Course Classification. Information on courses for which credit is to be awarded shall be submitted to ICCB on forms provided by ICCB in order for the courses to be classified into appropriate instructional and funding categories and added to the college's Management Information System (MIS) Course Master File.
- b) Course Credit Hour Determination.
 - 1) Credit hours for courses for which ICCB credit hour grants are to be claimed shall be determined on the basis of an expected forty-five (45) hours of combined classroom/laboratory and study time for each semester hour or thirty (30) hours of such time for each quarter credit hour.
 - 2) Courses with students participating in lecture/discussion oriented instruction will be assigned one semester credit hour or equivalent for each fifteen (15) classroom contact hours of instruction per semester or equivalent. It is assumed that two (2) hours of outside study will be invested for each classroom contact hour.
 - 3) Courses in which students participate in laboratory/clinical-laboratory oriented instruction will be assigned one (1) semester credit hour or equivalent for each 30-45 classroom contact hours of instruction per semester or equivalent. It is assumed that one (1) hour of outside study

- 4) Students who participate in internship, practicum, or on-the-job supervised instruction shall receive one (1) semester credit hour or equivalent for each 75-149 contact hours per semester or equivalent.
- c) Course Syllabus. A syllabus shall be developed and maintained for each credit course and shall be available to the public and students upon request. A syllabus contains the description of the course, specific objectives of the course, a topical outline, and the method for evaluating student performance.
- d) Course Applicability. All credit courses must be part of an approved unit of instruction (pursuant to Section 1501.302), and the approved unit of instruction for each course shall be indicated on the college's ICCB MIS Course Master File.
 - 1) Lower-division Baccalaureate Courses. Courses designed to meet lower-division baccalaureate degree requirements shall be applicable to associate transfer degrees. For each baccalaureate course offered, the colleges shall maintain current written articulation agreements or transfer equivalency documents with:
 - A) at least three (3) Illinois public universities, or;
 - B) at least three baccalaureate degree-granting institutions to which a majority (51%) of the college's students transfer, or;
 - C) one or more baccalaureate degree-granting institutions to which a majority (51%) of the college's students majoring in the field for which the course is required to show that lower-division--baccalaureate--courses--are---accepted---for students-who transfer.
 - 2) Remedial Course Credit. No remedial course credit shall be applicable to associate degrees designed for transfer to institutions granting baccalaureate degrees.
 - 3) Adult Basic Education Course Credit. No adult basic education course credit is applicable to degrees or to certificates, except the Adult Basic Education Certificate.
 - 4) Adult Secondary Education Course Credit. No adult secondary or college preparatory education course credit is applicable to degrees or certificates, except the Adult Secondary Education Certificate.
 - 5) General Studies Course Credit. General studies course credit is applicable only to the Personal Development; Homemaking; Improving Family Circumstances; Intellectual and Cultural Studies; Community and Civic Development; and Health, Safety and Environment Certificates.
 - e) Special Upper-Division Courses.
 - 1) A college may offer any course that is offered by a university, regardless of numbering system, if the university normally permits its own students to take the course as lower-division students. Such courses will be eligible for ICCB grants, if they meet all other criteria.

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENT(S)

- 2) If at least three (3) public universities in Illinois agree, or if a public university which is the principal recipient of transfers from the community college agrees, certain special courses taught at the upper-division level may be offered by a college and be eligible for ICCB grants, provided they meet all other criteria.
- f) Independent Study. Independent study course credit shall not exceed 25% of the credit hour requirements for a student to earn an associate degree. The topic of an independent study course shall be listed on the student's permanent academic record.
- g) Internships. An internship experience for credit that is designed to provide the student an opportunity to put into practice the theories and techniques learned in the classroom/laboratory shall be applicable to an associate degree or certificate, provided at least twelve (12) semester credit hours or equivalent in the corresponding curriculum are completed by the student prior to, or are taken by the student concurrently with, such experience.
- h) Courses Approved as Repeatable.
 - 1) Courses in which the content varies from term to term or from student to student (e.g., independent study, special topics, and internship courses) or in which a student is expected to gain increased depth of knowledge and skill through repetition (e.g., and music, speech, theatre, and journalism performance or production courses) shall, at the request of the college, be approved for repeatability under the following conditions:
 - A) The number of times the course may be taken for credit does not exceed four semesters (or six quarters);
 - B) The method of determining the amount of credit to be awarded for each section of the course, for each term, or for each student is specified in the college's catalog, on the course syllabus, and on the course classification form, and the subject matter and number of credits for which the student enrolled is specified on the student's permanent academic record;
 - C) The college's catalog, the course syllabus, and the course classification form requesting approval of repeatability by the ICCB indicate the number of such credits that will apply to degree or certificate completion for a single course or a combination of related courses; and
 - D) The total number of credit hours for a single course or for a combination of related courses that are applicable to degree or certificate completion does not exceed the maximums established in subsection (e) governing independent study, subsection (b) governing credit hour determination, or Section 1501.507(b)(10) governing the maximum rate of credit hour production.
 - 2) A vocational skill course that persons employed in an occupation or vocation must retake periodically by law in order to maintain employment shall, at the request of the college, be approved for

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENT(S)

repeatability under the following conditions:

- A) The content of the course is determined by law and does not change from one year to the next, and
- B) A copy of the law (or regulation administering it) and a course syllabus accompany the course classification form requesting repeatability.
- 3) An adult basic, adult secondary, or a remedial education course that is organized into discrete modules and offered for variable credit shall, at the request of the college, be approved for repeat under the following conditions:
 - A) No discrete module is repeated,
 - B) The title of each module completed and the grade received is permanently is recorded on the student's permanent academic record, and
 - C) The content and number of credit hours for each discrete module is shown on the course syllabus and on the course classification form requesting approval of repeatability by the ICCB.
- 4) An adult basic, adult secondary or a remedial education course that is not organized into discrete modules shall, at the request of the college, be approved for repeatability under the following conditions:
 - A) the number of times the course may be taken for credit does not exceed four times, i.e., repeatable three times.
 - B) The variety of skill levels included in the course and the methods used to accommodate individual differences based on an assessment of student skills is specified in the course syllabus.
 - C) The course title and the grade received is permanently recorded on the student's academic record each time that the course is taken.

(Source: Amended at 13 Ill. Reg. 14904, effective September 12, 1989.)

Section 1501.501 Definition of Terms

Advanced Technology Equipment Grant. The Advanced Technology Equipment Grant provides state funds to Illinois public community colleges for the procurement of equipment necessary to upgrade curricula impacted by technological changes. (See Ill-Rev-Statr--1984 Supp77-ch-1227-par-1027, Section 2-16.01 of the Act).

Annual Financial Statement. The "annual financial statement," which is required to be published by a district, consists of two parts: an annual financial report, which includes a statement of revenues and expenditures along with other basic financial data; and an annual program report, which provides a narrative description

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENT(S)

of programs offered, goals of the district, and student and staff data.

Attendance at Mid-Term. A student is "in attendance at mid-term" in a course if the student is currently enrolled in and actively pursuing completion of the course.

Business Assistance Centers and Economic Development Offices. Business assistance centers and economic development offices are entities at community colleges that conduct, coordinate, and assist with economic development activities.

Business Assistance Grants are grants authorized in Section 102-17 of the Illinois Public Community College Act for community colleges to provide assistance services to local businesses.

Disadvantaged Student: A "disadvantaged student" is a student with a social, physical, developmental, or academic disability that makes it difficult for such a student to adapt to a college environment designed for the non-disadvantaged. This may include students from minority racial/ethnic groups. Colleges shall designate which of their students are disadvantaged as determined by teacher and their students are disadvantaged as determined by teacher and counselor evaluations and various standardized tests selected by the colleges.

Disadvantaged Student Grant: A "disadvantaged student grant" provides funding for:

Special or extra services to assist disadvantaged students to initiate, continue, or resume their education, including tutoring, educational and career counseling, referrals to external agencies and testing/evaluation to determine courses or services needed by a disadvantaged student; Courses (not funded through credit hour grants) to provide the academic skills necessary to remedy or correct educational deficiencies to allow the attainment of educational goals, including remedial adult basic education, adult secondary education, and English as a Second Language courses.

Economic Development Activities. Economic development activities create or retain jobs and increase employment opportunities.

Economic Development Grants. Economic Development Grants provide funds for conducting economic development activities.

Repair and Renovation Grants. Repair and renovation grants are state grants appropriated to the ICCB and distributed proportionally to each community college district based on the latest fall on-campus non-residential gross square feet of facilities as certified by the ICCB. Such grants are to be utilized for miscellaneous capital

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENT(S)

improvements including construction, reconstruction, remodeling, improvement, repair, and installation of capital facilities; cost of planning, supplies, equipment, materials, and services; and all other expenses required to complete the work.

Resident of a District. For purposes of ICCB grants only, a "resident of a district" is a student who meets the following criteria:

If unemancipated, at least one parent, step-parent, or court-appointed guardian of the student shall reside in the district.

If emancipated, the student shall have lived in the district, in some capacity other than as a student at a post-secondary education institution or a resident of a state or federal correctional institution, for a period of at least thirty (30) days prior to enrolling at the community college, unless evidence is presented that the student has permanently relocated for purposes other than attending school. Evidence of district residency shall be based on ownership and/or occupancy of a dwelling in the district and at least one of the following:

An Illinois driver's license.

An Illinois automobile license registration

An Illinois voter's registration card.

A document showing the student's past or existing status as a district student, e.g., a high school transcript

Other non-self-serving documentation.

Resident of Illinois. For purposes of payment of ICCB grants, a "resident of Illinois" is a person who meets the following criteria:

If unemancipated, at least one parent, step-parent, or court-appointed guardian of the student shall reside in Illinois. If emancipated, the student shall be a legal resident of the State of Illinois and have lived in Illinois, in some capacity other than as a student at a post-secondary education institution, for a period of at least thirty (30) days prior to enrolling at the community college, unless evidence is presented that the student has permanently relocated for purposes other than attending school. Evidence of legal residency shall be based on ownership and/or occupancy of a home in the State of Illinois and one of the following:

An Illinois driver's license.

An Illinois automobile license registration.

An Illinois voter's registration card.

Employment in the State of Illinois.

Payment of Illinois income tax.

A document showing the student's past or existing status as an Illinois student, e.g., a high school record.

Other non-self-serving documentation.

Special Populations Student. A "special populations student" is a

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENT(S)

student with a social, physical, developmental, or academic disability that makes it difficult for such a student to adapt to a college environment designed for the non-disadvantaged. This may include students from minority racial/ethnic groups. Colleges shall designate which of their students are special populations as determined by teacher and counselor evaluations and various standardized tests selected by the colleges.

Special Populations Grant. A "special populations grant" provides funding for:

Special or extra services to assist special populations students to initiate, continue, or resume their education, including tutoring, educational and career counseling, referrals to external agencies, and testing/evaluation to determine courses or services needed by a special populations student. Courses (not funded through credit hour grants) to provide the academic skills necessary to remedy or correct educational deficiencies to allow the attainment of educational goals, including remedial, adult basic education, adult secondary education, and English as a Second Language courses.

(Source: Amended at 13 Ill. Reg. 14904, effective September 12, 1989.)

Section 1501.503 Audits

a) External Audits.

1) Three (3) copies of the annual external audit shall be submitted to the ICCB on or before October 15, following the close of the fiscal year. If the audit cannot be completed by this date, the district may submit a request for extension of time to the Executive Director before October 1, following the close of the fiscal year. This request shall be accompanied by an explanation of the circumstances which cause the report to be delayed along with an estimated date for submission.

2) Each audit report shall contain financial statements composed of the funds established in Section 1501.511, a comment on internal control, a comment on basis of accounting, uniform financial statements, a certificate of chargeback verification and a state of grant compliance section which shall include a schedule of enrollment data, a verification of enrollment data, a schedule of the district equalized assessed valuation and the statutory calendar year allocation of Corporate Personal Property Replacement Taxes for debt retirement and schedules for the restricted grants distributed by the ICCB and received by the district in the manner and format established by the ICCB.

A) The special populations disadvantaged--student grant schedules shall verify that special populations disadvantaged-student grant funds received by the district

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENT(S)

were expended in accordance with Section 1501.508(c) and shall include an "Auditor's Report on Compliance with State Requirements," along with a statement of revenues and expenditures and a balance sheet.

Multi-campus districts shall submit a single report for the district which includes separate statements for each college as such relate to Section 1501.508(e).

B) The Economic Development Grant schedules shall verify that the Economic Development Grant funds received by the district were expended in accordance with Section 1501.509 and shall include an "Auditor's Report on Compliance with State Requirements," along with a statement of revenues and expenditures and a balance sheet.

C) The Business Assistance Grant-audit-report-shall-include-a schedule-of-revenues-and-expenditures--the-report-shall verify-that-the-Business-Assistance-Grant-funds--were expended-in--accordance-with-Section-1501.514--the-report shall-also-verify-that-the-funds-used-to-match-this-grant are-in--accordance-with-Section-1501.514.

D) The Advanced Technology Equipment Grant schedules shall verify that the Advanced Technology Equipment Grant funds were expended in accordance with Section 1501.515 and shall include an "Auditor's Report on Compliance with State Requirements," along with a statement of revenues and expenditures and a balance sheet.

E) The repair and renovation grant portion of the audit shall verify that the funds were received by the district in accordance with Section 1501.516, and shall include an "Auditor's Report on Compliance with State Requirements," along with a statement of revenues and expenditures and a balance sheet.

b) Confirmation of ICCB Grants. An audit confirmation shall be made to the ICCB for all ICCB grants received during the fiscal year. Each district will be provided a listing of grants made to the college by September 17 following the close of each fiscal year. The district shall confirm to the ICCB by October 15 that all of the grants made to the district for the fiscal year were received by the district.

(Source: Amended at 13 Ill. Reg. 14904, effective September 12, 1989.)

Section 1501.508 Disadvantaged-Student Special Populations Grant

a) Special populations Disadvantaged--student grant funds shall be allocated annually to each Illinois public community college district in accordance with Section 2-16 of the Act.

b) Special populations Disadvantaged--student grant funds shall be accounted for in a restricted purposes fund.

c) The following are allowable expenditures for special populations

ILLINOIS COMMUNITY COLLEGE BOARD

ILLINOIS COMMUNITY COLLEGE BOARD

NOTICE OF ADOPTED AMENDMENT(S)

NOTICE OF ADOPTED AMENDMENT(S)

disadvantaged-student grant funds:

1) Personnel. Salaries and benefits for courses and services provided only to special populations disadvantaged students.

A) Tutors, both student and professional.

B) Counselors and paraprofessional counselors who spend a minimum of fifty (50) percent of their time working with special populations disadvantaged students.

C) Adult basic/secondary and remedial education instructors, not to exceed thirty (30) percent of the total special populations disadvantaged-student grant per district.

D) Direct support service personnel for assistance to students with disabilities, e.g., readers, notetakers, and drivers.

E) Professional and Paraprofessional staff who provide outreach services and special retention programs designed for special populations disadvantaged students.

2) Testing and Assessment Materials. Testing and assessment materials used to identify special populations educationally disadvantaged students.

3) Instructional Materials. Books, media packages such as computer software, and testing and evaluation materials provided only to special populations disadvantaged student.

4) Instructional Equipment. Lease or purchase of, e.g., tape recorders, small computers, and readers provided only to special populations disadvantaged students.

5) Travel related only to special populations disadvantaged student activities for both college personnel and students.

A) Special populations disadvantaged student activities such as field trips and student transportation.

B) Conference expenses related directly to special populations disadvantaged-student grant activities.

6) Staff development expenditures for special populations disadvantaged-student grant personnel and outside consultants.

7) The following special populations disadvantaged-student grant administrative expenditures related only to special populations disadvantaged-student grants. The total administrative expenditures may not exceed thirty (30) percent of the total special populations disadvantaged-student grant per district.

A) Administrative salaries.

B) Office staff salaries.

C) Office equipment.

D) Utilities.

E) Rental of facilities.

d) Reports of services, courses, and expenditures supported by the special populations disadvantaged-student grant shall be filed with the ICCB by August 1 of each year of forms provided by the ICCB.

e) An initial grant in the amount designated in Section 2-16 of the Act shall be allocated for expenditure by each community college within a multi-campus district. Remaining funds within a multi-college district may be allocated according to district policies.

f) Special populations Disadvantaged--student grant funds shall be expended or obligated prior to June 30 each year. Goods for which the funds have been obligated shall be received prior to September 30 following the end of the fiscal year for which the funds were appropriated. Funds for services, including salaries and benefits, may not be obligated for services rendered after June 30. Unexpended funds shall be returned to the ICCB by October 15 following the end of the fiscal year.

(Source: Amended at 13 Ill. Reg. 14904, effective September 12, 1989)

Section 1501.517 Retirees Health Insurance Grants

a) Retirees health insurance grants shall be distributed proportionately to each district based on the number of that district's annuitants on July 1 of the fiscal year in which the appropriation is made, such number is to be certified by the State Universities Retirement System (SURS).

b) Retirees health insurance grants shall be used by a community college district to provide health insurance for the district's annuitants.

c) Provisions of the retirees health insurance program shall be the same as that of the district's health insurance plan for active employees, except that annuitants eligible for Social Security benefits shall be required to enroll in Medicare Part A Insurance which shall be considered their primary coverage.

d) Retirees health insurance grants shall be expended or obligated by June 30 of the fiscal year in which the grant is received. Funds obligated prior to June 30 but unexpended by September 30 shall be returned to the ICCB by October 15 following the year for which the appropriation was made.

e) Retirees health insurance grants determined not to be spent in accordance with this Section shall be returned to the ICCB within six months after receipt of the external audit report submitted pursuant to Section 3-22.1 of the Act.

(Source: Added at 13 Ill. Reg. 14904, effective September 12, 1989)

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

1) THE HEADING OF THE PART: Dog Training on Non-Department Owned or -Managed Lands

2) CODE CITATION: 17 Ill. Adm. Code 960

3) SECTION NUMBERS: ADOPTED ACTION:

960.10 New Section
960.20 New Section
960.30 New Section
960.40 New Section
960.50 New Section

4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.4, 2.30, 2.34 and 3.5 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 1.4, 2.30, 2.34 and 3.5)

5) EFFECTIVE DATE OF RULES: September 6, 1989

6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

7) DOES THIS RULE CONTAIN INCORPORATIONS BY REFERENCE? No

8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: September 5, 1989

9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: May 19, 1989, 13 Ill. Reg. 7515

10) HAS JCER ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES? No

11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION: In Section 960.30(a), "perimeter" was misspelled.

12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCER BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCER? Yes

13) WILL THESE RULES REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? No

14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? No

15) SUMMARY AND PURPOSE OF RULES: These rules contain the qualifications and procedures for obtaining permits for dog training on lands now owned or managed by the Department.

16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED RULES SHALL BE DIRECTED TO:

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

Jack Price
Lincoln Tower Plaza
524 S. Second Street
Springfield, Illinois 62701-1787

THE FULL TEXT OF THE ADOPTED RULES BEGINS ON THE NEXT PAGE

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 960

DOG TRAINING ON NON-DEPARTMENT OWNED OR -MANAGED LANDS

Section

Definitions

Designated Dog Training Area Permits

Designated Dog Training Areas

Training of Coon Hounds

Penalties, Future Rights/Appeal Procedures

AUTHORITY: Implementing and authorized by Sections 1.4, 2.30, 2.34 and 3.5 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 1.4, 2.30, 2.34 and 3.5)

SOURCE: Adopted at 13 Ill. Reg. 14921, effective Sept. 6, 1989.

Section 960.10

Definitions

Department - Department of Conservation

Designated Dog Training Area - an area of limited acreage where an individual may shoot hand reared game birds or pigeons while training sporting dogs throughout the entire year.

Dog Training - any teaching or exercising activity involving the classification of dogs commonly referred to as sporting dogs in which the primary purpose is to enhance the field performance of the dogs.

Running Season - the period when it is unlawful to hunt.

Section 960.20

Designated Dog Training Area Permits

- a) Designated Dog Training Area Permits are available from the Department upon completion of an application for the permit. Permit applications are available by writing to:

Illinois Department of Conservation
Division of Wildlife Resources
524 S. Second Street
Lincoln Tower Plaza
Springfield, IL 62706

- b) Applicants for Designated Dog Training Area Permits must possess a Game Bird Breeders Permit or a Game Breeding and Hunting Preserve Area Permit.

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

- c) Designated Dog Training Area Permits are valid from April 1 to March 31.
d) Not more than 50 acres may be included in a Designated Dog Training Area Permit.

Section 960.30 Designated Dog Training Areas

- a) Permit holders must conspicuously post the perimeter of Designated Dog Training Areas with signs obtainable from the Department.

- b) Permit holders must properly band all hand reared game birds shot on a Designated Dog Training Area before they are removed from the training area. If the permit holder resides on the training area, the hand reared game birds must be properly banded the same day they are taken. Only bands obtained from the Department may be used. Bands can be obtained for ten cents each by writing to:

Illinois Department of Conservation
Division of Licenses and Permits
524 S. Second Street
Lincoln Tower Plaza
Springfield, IL 62706

- c) Permit holders may utilize live hand reared game bird recall devices on Designated Dog Training Areas.

- d) The shooting of hand reared game birds on Designated Dog Training Areas is restricted to only those individuals named on the permit and must be conducted within the Designated Dog Training Area.

Section 960.40 Training of Coon Hounds

It shall be unlawful to shake out, relocate, dislodge, move or extract a raccoon from a place of refuge during the running season.

Section 960.50 Penalties, Future Rights/Appeal Procedures

- a) For violation of Section 2.34 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, par. 2.34) or this Part, the Department will revoke an individual's Designated Dog Training Area Permit.
- b) Individuals whose Designated Dog Training Permits have been revoked may contest the denial of a permit according to the process delineated in 17 Ill. Adm. Code 2530.

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

- 1) THE HEADING OF THE PART: Duck, Goose and Coot Hunting
- 2) CODE CITATION: 17 Ill. Adm. Code 590
- 3) SECTION NUMBERS:
590.20
590.25
- 4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7, 3.8, and 3.10), and Migratory Bird Hunting (50 CFR 20, effective September 29, 1987).
- 5) EFFECTIVE DATE OF AMENDMENTS: September 7, 1989
- 6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No
- 7) DO THESE AMENDMENTS CONTAIN INCORPORATIONS BY REFERENCE? No
- 8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: September 5, 1989
- 9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: June 2, 1989,
13 Ill. Reg. 8189
- 10) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES? No
- 11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:

In the Authority Note, a comma was added following "1.13" in the first line.

In Section 590.20(b)(4)(B), the address was indented to the fourth level of indentation.

In Section 590.20(c)(1), "Section 590.20 (c) of these rules" was replaced with "Subsection (c) of this Section."

In Section 590.25(b)(4)(B), the address was changed to read:-

Illinois Department of Conservation
Division of Wildlife Resources
524 S. Second Street
Lincoln Tower Plaza
Springfield, IL 62706-9446

In Section 590.25(c)(1), "Section 590.25(c)" was changed to "Subsection (c)."

In the last line of Section 590.25(c)(3)(B), the "b" in "blinds" was changed to lower case.

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

- 12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Yes
- 13) WILL THESE AMENDMENTS REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? No
- 14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? Yes
- | Section Numbers | Proposed Action | Illinois Register Citation |
|-----------------|-----------------|-----------------------------------|
| 590.60 | Amendments | 13 Ill. Reg. 12171, July 28, 1989 |
- 15) SUMMARY AND PURPOSE OF AMENDMENTS: The Department promulgated these amendments to incorporate language pertaining to a Illinois Youth Goose Hunt. The Department is holding this hunt to encourage youths to support waterfowl hunting.
- 16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED AMENDMENTS SHALL BE DIRECTED TO:

Edwin Parkinson
Lincoln Tower Plaza
524 S. Second Street
Springfield, Illinois 62701-1787

THE FULL TEXT OF THE ADOPTED AMENDMENTS BEGINS ON THE NEXT PAGE

DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENTS

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 590
DUCK, GOOSE AND COOT HUNTING

Section
590.10 Statewide Regulations
590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting
590.25 Illinois Youth Goose Hunting Permit Requirements
590.30 Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed Sites.
590.40 Check Station Department Sites Only - Duck, Goose and Coot Hunting
590.50 Non-Check Station Department Sites Only - Duck, Goose and Coot Hunting
590.60 Various Other Department Sites - Duck, Goose and Coot Hunting
EXHIBIT A The Non-Toxic Shot Zones of Illinois

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 3.5, 3.6, 3.7, 3.8, and 3.10 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 3.5, 3.6, 3.7, 3.8, and 3.10), and Migratory Bird Hunting (50 CFR 20, effective September 29, 1987).

SOURCE: Adopted at 5 Ill. Reg. 3857, effective August 25, 1981; emergency amendment at 5 Ill. Reg. 11386, effective October 14, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10638; Part repealed at 6 Ill. Reg. 9647, effective July 21, 1982; new Part adopted at 6 Ill. Reg. 11865, effective September 22, 1982; amended at 7 Ill. Reg. 13229, effective September 28, 1983; emergency amendment at 7 Ill. Reg. 13948, effective October 6, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 18968, effective September 26, 1984; amended at 9 Ill. Reg. 14242, effective September 5, 1985; peremptory amendments at 9 Ill. Reg. 15062, effective September 25, 1985; emergency amendments at 9 Ill. Reg. 15928, effective October 8, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 16588, effective September 22, 1986; emergency amendments at 10 Ill. Reg. 17773, effective September 26, 1986, for a maximum of 150 days; amended at 11 Ill. Reg. 10560, effective May 21, 1987; emergency amendments at 11 Ill. Reg. 15242, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12200, effective July 15, 1988; emergency amendments at 12 Ill. Reg. 16233, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; emergency amendments at 12 Ill. Reg. 22244, effective December 7, 1988, for a maximum of 150 days; emergency expired May 6, 1989; amended at 13 Ill. Reg. 10325, effective June 20, 1989; amended at 13 Ill. Reg. 14925, effective September 7, 1989.

Section 590.20 Permit Controlled Department Sites Only - Duck, Goose and Coot Hunting

- a) Sites covered in this Section, which allow hunting by permit only, are:

DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENTS

Horseshoe Lake Conservation Area (Alexander County)

Rice Lake Conservation Area

Union County Conservation Area

b) Permit Requirements

- 1) Permit reservations will be accepted starting in September. Initial acceptance dates will be publicly announced.
- 2) Only one permit per person will be issued until the daily quota is filled. The daily quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the land at the site; the condition of the roads at the site; the number of employees available to work at the site; and the number of blinds which can be established on a site as set forth in Section 3.8 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, par. 3.8).
- 3) The permit will be for the use of the entire blind and it will be the responsibility of the permit holder to bring one hunting partner for Horseshoe Lake (Alexander County) and Union County (two hunters per blind) or two hunting partners for Rice Lake (three hunters per blind). Unfilled blinds will be filled by a drawing at the sites.
- 4) A) All duplicate permit reservations will be rejected and the hunter will forfeit his rights to a permit. Permits are not transferrable.
B) Permits cannot be transferred on the hunting area. For other information write to:

Illinois Department of Conservation
Permit Office - Waterfowl
524 S. Second Lincoln Tower Plaza, Room 210
P.O. Box 19227
Springfield, IL 62794-9227

- 5) Permits for waterfowl hunting will be issued from the Springfield Permit Office for Horseshoe Lake (Alexander County), Union County and Rice Lake.

- c) General waterfowl hunting regulations for Horseshoe Lake (Alexander County), Union County and Rice Lake areas

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

- 1) ~~Section 590.20 (c) of these rules~~ Subsection (c) of this Section shall be in accordance with Federal Regulations (50 CFR 20, effective September 29, 1987) unless the regulations in this Section are more restrictive.
- 2) Season dates, bag limits and methods of taking geese are set by the U. S. Fish and Wildlife Service, Department of the Interior, unless State regulations are more restrictive.
- 3) Hours, Permits and Stamp Charges
 - A) Hunting hours are from legal opening time until 12:00 Noon at Rice Lake. Hunting hours at Horseshoe Lake (Alexander County) and Union County are from sunrise until 12:00 Noon and will be closed on Mondays.
 - B) Hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing will be held to allocate blind sites. At Horseshoe Lake (Alexander County) and Union County, hunters with permit reservations from Springfield, who have drawn poorer blinds (as determined by the area operator), will have priority to be reassigned to the better blinds as they become available.
 - C) A \$15.00 Daily Usage Stamp must be purchased at Horseshoe Lake (Alexander County) and Union County. A \$6.00 Daily Usage Stamp must be purchased at Rice Lake.
 - D) When daily quotas are not filled, permits will be issued to standby hunters by a drawing held at the check station.
 - E) Hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamp in the check station while hunting. Persons exempt by law from having a hunting license and an Illinois stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.
 - F) Hunting will be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.
 - G) Baiting with corn, grains or other feed is not allowed.
 - H) Guns must be unloaded and encased at all times when not hunting.
 - I) Disturbing or molesting waterfowl, fishing, or trespassing within the posted area of any hunting ground is prohibited.

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

- d) Special Canada geese hunting regulations for Horseshoe Lake (Alexander County) and Union County.
 - 1) The legal hunting season is the dates of the Quota Zone goose hunting season except that the areas will be closed December 24, 25 and 26.
 - 2) Hunters may not possess more than 10 shells nor shot larger than size T steel. It shall be unlawful for hunters to possess or use toxic (lead) shot in any gauge shotgun shells for hunting waterfowl.
 - 3) Hunters cannot leave their blinds and shoot crippled geese. Hunters can leave the blind and retrieve their crippled geese but they must leave their guns in the blinds.
 - 4) Hunters must be at least 16 years of age (except for the Illinois Youth Goose Hunt) to draw for a pit or blind on the Union County or Horseshoe Lake (Alexander County) areas.
- e) Special duck regulations for Rice Lake.
 - 1) The legal hunting season is the dates of the central zone duck hunting season.
 - 2) It shall be unlawful for hunters to possess or use toxic (lead) shot in any gauge shotgun shells for hunting waterfowl.
 - 3) All hunting parties (each blind) are required to use a minimum of 12 duck decoys.
 - 4) Hunters can bring a private boat or can rent a boat at the area. The maximum motor size limit for private boats is unrestricted and for rental boats is 10 h.p. while hunting. Boats will be provided with blinds on Big Lake and no motors will be allowed.
 - 5) Hunters must be at least 16 years of age to draw for a blind at the Rice Lake area.
 - 6) Rice Lake will be closed to hunting when the lake is frozen over.

(Source: Amended at 13 Ill. Reg. 14925, effective September 7, 1989)

Section 590.25 Illinois Youth Goose Hunting Permit Requirements

- a) State sites covered in this Section, which allow hunting by permit only, are:

Horseshoe Lake Conservation Area (Alexander County)

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENTSUnion County Conservation Areab) Permit Requirements

- 1) Permit reservations will be accepted starting in September. Initial acceptance dates will be publicly announced. Applicants must be between the ages of 10-15.
- 2) Only one permit per person will be issued for the hunt on December 29, 1989.
- 3) The permit will be for the use of the entire blind and it will be the responsibility of the permit holder to bring one supervising adult who may also hunt at Horseshoe Lake (Alexander County) or Union County.

4) Permit reservations and transferability.

- A) All duplicate permit reservations will be rejected and the hunter will forfeit his rights to a permit. Permits are not transferable.
- B) Permits are not transferable. For other information write to:

Illinois Department of Conservation
Division of Wildlife Resources
524 S. Second Street
Lincoln Tower Plaza
Springfield, IL 62706-9446

- 5) Permits for the Illinois Youth Goose Hunt will be issued from the Springfield Permit Office for Horseshoe Lake (Alexander County) and Union County.

c) General waterfowl hunting regulations for Horseshoe Lake (Alexander County) and Union County.

- 1) Subsection (c) shall be in accordance with Federal Regulations (50 CFR 20, effective September 29, 1987) unless the regulations in this Section are more restrictive.
- 2) Season dates, bag limits and methods of taking geese are set by the U.S. Fish and Wildlife Service, Department of the Interior, unless State regulations are more restrictive.

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION
NOTICE OF ADOPTED AMENDMENTS3) Hours, Permits and Stamp Charges

- A) Hunting hours at Horseshoe Lake (Alexander County) and Union County are from sunrise until 12:00 noon on December 29, 1989.
- B) Hunters with Illinois Youth Goose Hunt permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing will be held to allocate blind sites which have been made void. At Horseshoe Lake (Alexander County) and Union County, hunters with permit reservations from Springfield, who have drawn poorer blinds (as determined by the area operator), will have priority to be reassigned to the unused Illinois Youth Goose Hunt blinds.

- C) There is no fee for the Illinois Youth Goose Hunting Permit. Hunters are required to deposit their hunting license and Federal and State Migratory Waterfowl Stamps in the check station while hunting. Persons exempt by law from having a hunting license and a State Migratory Waterfowl Stamp must deposit their Firearm Owner's Identification Card. Persons under 21 who do not have a card must be accompanied by an adult who has a valid card in his possession.

- 5) Hunting will be done from assigned blinds only and hunters shall not move from blind to blind or leave the blind and return.

- 6) Baiting with corn, grains or other feed is not allowed.

- 7) Hunters must have a 20 gauge or larger shotgun and provide their own ammunition.

- 8) Guns must be unloaded and encased at all times when not hunting.

- 9) Disturbing or molesting waterfowl, fishing, or trespassing within the posted area of any hunting ground is prohibited.

d) Special Canada geese Illinois Youth Goose Hunt hunting regulations for Horseshoe Lake (Alexander County) and Union County:

- 1) The legal hunting season is December 29, 1989.
- 2) Hunters may not possess more than 20 shells nor shoot larger than size 1 steel. It shall be unlawful for hunters to possess or use toxic (lead) shot in any gauge shotgun shells for hunting waterfowl.

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED AMENDMENTS

- 3) Hunters cannot leave their blind and shoot crippled geese. Hunters can leave the blind and retrieve their crippled geese but they must leave their guns in the blinds.

(Source: Added at 13 Ill. Reg. 14925, effective September 7, 1989)

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

- 1) THE HEADING OF THE PART: Possession of Specimens or Products of Endangered or Threatened Species

2) CODE CITATION: 17 Ill. Adm. Code 1070

3) SECTION NUMBERS:

1070.10
1070.20
1070.30
1070.40
1070.50
1070.60
1070.70
1070.80

ADOPTED ACTION:
New Section
New Section
New Section
New Section
New Section
New Section
New Section
New Section

- 4) STATUTORY AUTHORITY: Implementing and authorized by Sections 4 and 11(c) of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1987, ch. 8, pars. 334 and 341(c)).

5) EFFECTIVE DATE OF AMENDMENTS: September 11, 1989

6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No

7) DOES THIS RULE CONTAIN INCORPORATIONS BY REFERENCE? No

8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: September 5, 1989

9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: June 9, 1989
13 Ill. Reg. 8741

10) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES? No

11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:

The Authority Note was changed to combine the two entries from the same Act.

In Section 1070.10, all the definitions were put in distinguishing type with the exception of Coordinator, Scrap, Specimen and Take.

In Section 1070.10 under "Animal", the word "system" was misspelled.

In Section 1070.10, a new definition was added "Federal Endangered Plant - A plant appearing on the Federal Endangered Species List." (this does not appear in distinguishing type).

In Section 1070.20(b), "pursuant to the Federal Endangered Species Act of 1973 (P.L. 93-205, effective December 29, 1973)" was added following "issued" in line one. This language was also added in subsection (c).

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

In Section 1070.20(d), the comma following "Department" was removed; "who obtains a permit pursuant to this Part" was added following "Board"; the comma following "Service" was removed; "his" was changed to "that"; "may" was changed to "shall be authorized," and "to" was added prior to "take" in line four.

In Section 1070.20(f), comma added following "1973" and "Act" capitalized.

In Section 1070.20(i), "may" was changed to "shall."

Sections 1070.20(o), (p) and (q) were removed and the subsection relabeled.

The address under subsection 1070.20(o) was moved to the left ½ inch.

In Section 1070.30(a)(3)(A), "adequate" was removed; "to" was changed to "which will"; and "research will be conducted in a professional manner" was replaced with "applicant has the ability to conduct the proposed research."

In Section 1070.30(a)(3)(B), "adequately" was removed.

In Section 1070.30(a)(3)(C), "reasonably" and "significantly" were removed.

In Section 1070.30(b)(1)(E), "verification" was replaced with "a verified statement"

In Section 1070.30(b)(2)(A), "adequate" was removed; "to" changed to "which will" and "educational program will be conducted in a professional manner" changed to "applicant has the ability to conduct the proposed program."

In Section 1070.30(c)(1)(A), "a photostatic copy" replaced "proof of possession."

In Section 1070.30(c)(1)(F), "verification" was replaced with "a verified statement."

In Section 1070.30(c)(2)(A), "adequate" was removed; "to" was replaced with "which will" and "zoological/botanical program will be conducted in a professional manner" was replaced with "applicant has the ability to conduct the proposed program."

In Section 1070.30(d)(1)(B), a statutory citation was added following "Director" in the last line.

In Section 1070.30(e), statutory citations were added following "Department" in line 7.

In Sections 1070.40(a) and (b), commas were added following "1973."

In Section 1070.40(c), "which shall be given if the other person meets the criteria of this Section." was added following "Director".

In Section 1070.40(e), "which shall be given if the disposal meets the requirement of this Part" was added following "Director."

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

In Section 1070.40(g), "(See Section 1070.30(e))" was added following "Department."

In Section 1070.60(a), "(See subsection (c))" was added following "standards."

In Section 1070.60(b), "Upon request" was replaced with "if necessary to assure adequacy of facilities upon application or upon receipt of a complaint."; the comma following "Director" was replaced with "shall request" and "must" was changed to "to."

In Section 1070.60(c), at the end of the paragraph "July 22, 1989, no further additions or amendments are included" was added.

In Section 1070.70(d), "Reliable and adequate" was removed.

In Section 1070.70(e), "sufficiently" was removed and "simulate conditions" was changed to "assure simulation of conditions."

In Section 1070.70(f), "ample" and "good" were removed.

In Section 1070.80(a), "may" was changed to "shall."

In Section 1070.80(a)(u), "rules and regulations" was removed.

12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Yes

13) WILL THESE RULES REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? No

14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? No

15) SUMMARY AND PURPOSE OF RULES: This new Part was established for the issuance of permits to allow taking, possession, transport, purchase, disposal, propagation and disposition of specimens and products of endangered and threatened species. It was promulgated by the Department after consultations with and written approval of the Endangered Species Protection Board.

16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED RULES SHALL BE DIRECTED TO:

Jack Price
Lincoln Tower Plaza
524 S. Second Street
Springfield, Illinois 62701-1787

THE FULL TEXT OF THE ADOPTED RULES BEGINS ON THE NEXT PAGE

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER C: ENDANGERED SPECIESPART 1070
POSSESSION OF SPECIMENS OR PRODUCTS OF
ENDANGERED OR THREATENED SPECIES

Section
1070.10
1070.20
1070.30
1070.40
1070.50
1070.60
1070.70
1070.80

Definitions
Permit Requirements
Permit Provisions
Limited Permit Provisions
Reporting Requirements
Facilities and Animal Welfare Standards (Animal)
Facilities Standards (Plant)
Revocation

AUTHORITY: Implementing and authorized by Sections 4 and 11(c) of the Illinois Endangered Species Protection Act (Ill. Rev. Stat. 1987, ch. 8, pars. 334 and 341(c)).

SOURCE: Adopted 13 Ill. Reg. 14934, effective September 11, 1989.

Section 1070.10 Definitions

Animal - those organisms commonly included in the science of zoology and generally distinguished from plants by possession of a nervous system and the ability to move from place to place, including all invertebrates such as sponges and mollusks as well as vertebrates such as fishes, amphibians, reptiles, birds, and mammals. (Section 2 of the Illinois Endangered Species Protection Act) (the Act) (Ill. Rev. Stat. 1987, ch. 8, par. 332).

Animal Product - the fur, hide, skin, teeth, feathers, tusks, claws, eggs, nests or the body or any portion thereof whether in a green or raw state or as a product manufactured or refined from an animal protected under the Illinois Endangered Species Protection Act (Section 2 of the Act) or under rules issued pursuant to that Act.

Board - the Illinois Endangered Species Protection Board. (Section 2 of the Act).

Coordinator - the Endangered Species Program Coordinator employed by the Board.

Department - the Illinois Department of Conservation. (Section 2 of the Act).

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

Director - the Director of the Illinois Department of Conservation. (Section 2 of the Act).

Endangered Species - any species of plant or animal classified as endangered under the Federal Endangered Species Act of 1973 (P.L. 93-205, effective December 28, 1973) and amendments thereto, plus such other species which the Board may list as in danger of extinction in the wild in Illinois due to one or more causes including but not limited to, the destruction, diminution or disturbance of habitat, overexploitation, predation, pollution, disease, or other natural or manmade factors affecting its prospects of survival, but not including nursery plant stock obtained from a non-wild source, nor pre-act or legally obtained birds of prey held by licensed falconers. (Section 2 of the Act).

Federal Endangered Plant - A plant appearing on the Federal Endangered Species List.

Illinois List - those species of animals and plants listed by the Board as endangered or threatened. (Section 2 of the Act).

Person - any individual, firm, corporation, partnership, trust, association, private entity, government agency, or their agents, and representatives. (Section 2 of the Act).

Plant - any organism not considered to be an animal, including such organisms as algae, fungi, bryophytes, and ferns, as well as flowering plants and conifers. (Section 2 of the Act).

Plant Product - any plant body or part thereof removed from natural habitat, including seeds, fruits, roots, stems, flowers, leaves, or products made from any of these, including extracts and powders. (Section 2 of the Act).

Scrap - to dispose of a specimen or product of an endangered or threatened species in a manner which permanently removes that specimen or product from the possession of the permit holder and renders the specimen or product unsuitable for possession by any other person. This shall include, but not be limited to euthanasia, burning, or burial.

Specimen - a live individual of any animal or plant species.

Take - in reference to animals and animal products, to harm, hunt, shoot, pursue, lure, wound, kill, destroy, harass, gig, spear, ensnare, trap, capture, collect, or to attempt to engage in such conduct. In reference to plants and plant products, to collect, pick, cut, dig up, kill, destroy, bury, crush, or harm in any way.

Threatened Species - any species of plant or animal classified as threatened under the Federal Endangered Species Act of 1973 (P.L. 93-205, effective

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

December 28, 1973 and amendments thereto, plus such other species which the Board may list as likely to become endangered in Illinois within the foreseeable future. (Section 2 of the Act).

Section 1070.20 Permit Requirements

- a) It shall be unlawful for any person to take, possess, transport, purchase, or dispose of specimens or products of an endangered or threatened animal or federal endangered plant after the date of listing unless a valid permit for such activity has been issued pursuant to this Part or as otherwise provided for in this Section or 17 Ill. Adm. Code 1590 (Falconry and the Captive Propagation of Raptors).
- b) Any person having a current, valid permit issued pursuant to the Federal Endangered Species Act of 1973 (P.L. 93-205, effective December 29, 1973) by the U.S. Department of Agriculture or the U.S. Fish and Wildlife Service for the taking, possession, transportation, purchase, or disposal of species designated as endangered or threatened by the Secretary of the Interior of the United States and not known to occur within the State of Illinois, shall be considered to have met the requirements for issuance of a permit pursuant to this Part and shall be issued a permit upon request.
- c) Notwithstanding subsection (a), any person may possess or transport a species on the Illinois list within Illinois for purposes such as circuses, theatrical acts, carnivals, or displays, provided that the listed species is held under a current, valid permit for such purposes issued pursuant to the Federal Endangered Species Act of 1973 (P.L. 93-205, effective December 28, 1973) by the U.S. Department of Agriculture, U.S. Fish and Wildlife Service, or the appropriate authorities of a state other than Illinois, for a period not to exceed thirty (30) days in any calendar year.
- d) Notwithstanding subsection (a), any employee or agent of the Department or the Board, who obtains a permit pursuant to this Part, or the U.S. Fish and Wildlife Service who is designated by that agency for such purposes, shall be authorized, when acting in the course of his official duties, to take endangered or threatened animals without a permit if such action is necessary to aid a sick, injured or orphaned specimen; or dispose of a dead specimen; or salvage a dead specimen which may be useful for scientific study or educational purposes.
- e) Any taking pursuant to subsection (d) must be reported in writing to the Coordinator within ten (10) working days.
- f) It shall be unlawful for any person to possess, purchase, or dispose of specimens or products of an endangered or threatened animal or federal endangered plant which was in the possession of that person prior to May 1, 1973, or acquired legally out-of-state unless a valid limited permit for such activity has been issued pursuant to this Part, which permit shall be issued upon proof of pre-Act or legal acquisition.

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

- g) It shall be unlawful for any person to propagate or attempt to propagate any endangered or threatened animal or federal endangered plant unless a valid permit specifically allowing such activity has been issued pursuant to this Part.
- h) It shall be unlawful for any person to perform taxidermic services upon any product of an endangered or threatened species except as allowed by this Part.
- i) It shall be unlawful for any person to possess an endangered or threatened animal for purposes of veterinary rehabilitation for a period exceeding ninety (90) days unless a valid permit for such activity has been issued pursuant to this Part. Only persons holding a rehabilitation permit issued by the Department shall possess endangered or threatened animals for such purposes. All rehabilitators are required to notify the Coordinator within 10 working days of the receipt of any endangered or threatened animals. Release of rehabilitated animals shall be only at the location at which the animal was collected or at another location approved by the Department.
- j) Permits issued under this Part or valid copies thereof must be in the possession of the holder or his agent when engaged in activities involving endangered or threatened animals or federal endangered plants and presented upon demand to any authorized officer or agent of the Department or any police officer of the State of Illinois or of any unit of local government within the State of Illinois.
- k) No person shall transfer a permit issued pursuant to this Part to another person.
- l) Except as otherwise stated on the face of a permit, any person who is under the direct control of the permittee, or who is employed by or under contract to the permittee for the purposes authorized by the permit, may carry out the activity authorized by the permit.
- m) The authorizations on the face of a permit which allow specific activities (e.g. taking, possession, disposal), specify numbers or quantities of specimens or products, or otherwise permit a specifically limited matter, are to be strictly construed and shall not be interpreted to permit similar or related matters outside the scope of strict construction.
- n) A permittee who furnishes his permit to the Director for endorsement or correction in compliance with this Part may continue those activities authorized by the permit pending its return.
- o) All correspondence regarding permits issued pursuant to this Section shall be addressed to:

Endangered Species Program Coordinator

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

Illinois Department of Conservation
524 S. Second Street
Springfield, IL 62701-1787

Section 1070.30 Permit Provisions

To take, possess, transport, purchase, or dispose of specimens or products of endangered or threatened animals or federal endangered plants after the date of listing, an applicant must provide a scientific, educational, or zoological/botanical justification to keep such animals, animal products, plants, or plant products.

- a) Scientific Purpose - Persons planning to conduct research involving endangered or threatened animals or federal endangered plants must apply for a permit for scientific purposes.

- 1) In addition to completing a permit application form provided by the Department, the applicant for a scientific permit must submit:

- A) an outline of the proposed research, including the scientific justification for such research, methods to be used, needs for the use of an endangered or threatened species, and a statement as to how the proposed research will enhance the survival and well-being of the species involved;
- B) a description, including photographs, of the facilities intended for use in holding the endangered or threatened species; and
- C) a statement of the qualifications of the applicant to conduct the proposed research, including educational history, experience in similar research, and a list of pertinent publications and professional activities.

- 2) Scientific purposes include, but may not be limited to:

- A) study of biology, physiology, or behavior of the affected species; and
- B) banding or otherwise marking these species including eggs, seeds, dens, nests, or progeny.

- 3) A permit for scientific purposes will be approved if the research proposal meets the following criteria:

- A) the applicant's credentials indicate training and experience which will assure that the applicant has the ability to conduct the proposed research.
- B) the proposed research cannot be conducted using a non-listed species;

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

- C) the proposed research can be expected to yield results which will enhance the survival and welfare of wild populations of the species involved; and

- D) the facilities to be used to house endangered or threatened species are shown to meet the standards defined in Sections 1070.60 or 1070.70 of this Part.

- b) Educational Purpose - Persons wishing to utilize specimens or products of endangered or threatened animals or federal endangered plants in an educational program must apply for a permit for educational purposes. Permits for educational purposes will be issued only to institutions (e.g., schools, museums, zoos) or to individuals employed and/or sponsored by such an institution.

- 1) In addition to completing a permit application form provided by the Department, the applicant for an educational permit must submit:

- A) an outline of the educational program to be presented. Every educational program shall include information on the endangered or threatened status of the specimens being displayed and an explanation of the legal acquisition of the specimens;

- B) a list of all similar programs conducted by the applicant during the two years preceding the application for an educational permit, including estimates of the number of persons attending each presentation;

- C) a statement as to how the possession of the specimens or products of endangered or threatened animals or federal endangered plants by the applicant will enhance the welfare of the species involved;

- D) a description, including photographs, of the facilities intended for use in holding the endangered or threatened species; and

- E) a verified statement that any specimens to be used in the educational program will be obtained legally.

- 2) A permit for educational purposes will be issued if the proposed educational program meets the following criteria:

- A) the credentials of the applicant indicate training and experience which will assure that the applicant has the ability to conduct the proposed program;

- B) the program promotes the survival of the endangered or threatened species and its natural habitat;

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

- C) the program promotes understanding of the ecological needs of natural populations of the species;
- D) the program promotes understanding of the role of the endangered or threatened species in its natural environment; and
- E) the facilities to be used to house endangered or threatened species are shown to meet the standards defined in Section 1070.60 or 1070.70 of this Part.
- c) Zoological/Botanical Purpose - Persons wishing to display specimens or products of endangered or threatened animals or federal endangered plants in a zoological/botanical program (e.g. zoological parks, aquaria, arboreta) must apply for a permit for zoological/botanical purposes. If specimens are to be held under a permit for zoological/botanical purposes are to be available for public viewing, the public display shall include a notice which describes the endangered or threatened status of the species and explains the means of legal acquisition of the specimens. Such notice shall be posted prominently in a location easily visible to all visitors.
- 1) In addition to completing a permit application form provided by the Department, the applicant for a zoological/botanical permit must submit:
- A) a photostatic copy of an Exhibitor Permit issued by the U.S. Department of Agriculture;
- B) an outline of all proposed programs that would utilize specimens or products of endangered or threatened species;
- C) a statement of the training and experience of those persons to be responsible for the care of the endangered or threatened species;
- D) a statement as to how the possession of the specimens or products of endangered or threatened animals or federal endangered plants by the applicant will enhance the welfare of the species involved;
- E) a description, including photographs, of the facilities intended for use in holding the endangered or threatened species; and
- F) a verified statement that any specimens to be used in a zoological/botanical program will be legally obtained.
- 2) A permit for zoological/botanical purposes will be issued if the proposed zoological/botanical program meets the following criteria:

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

- A) the credentials of the applicant indicate training and experience which will assure that the applicant has the ability to conduct the proposed program;
- B) the program promotes the survival of the endangered or threatened species and its natural habitat;
- C) the program promotes understanding of the ecological needs of natural populations of the species;
- D) the program promotes understanding of the role of the endangered or threatened species in its natural environment; and
- E) the facilities to be used to house endangered or threatened species are shown to meet the standards defined in Section 1070.60 or 1070.70 of this Part.
- d) Permit for Propagation of Endangered or Threatened Species - Persons wishing to propagate or attempt to propagate any endangered or threatened species of animal or federal endangered plant must apply for a permit for such purposes. Propagation permits may be issued as an addendum to permits for scientific or zoological/botanical purposes. A permit for educational purposes shall not include permission to propagate or attempt to propagate endangered or threatened species. A permit issued pursuant to 17 Ill. Adm. Code 1590 (Falconry and the Captive Propagation of Raptors) for the propagation of raptors shall be deemed to meet the requirement of this Part.
- 1) In addition to the materials submitted as application for a scientific or zoological/botanical permit, the applicant for a propagation permit must submit:
- A) a statement as to how the propagation of endangered or threatened animals or federal endangered plants by the applicant will enhance the welfare of the species;
- B) a statement describing the disposition of any successfully propagated individuals. Release of such individuals into natural populations or attempts to reintroduce a species into an area where it is known or believed to have formerly occurred will be allowed only with the express written consent of the Director, pursuant to Sections 2.2 and 2.3 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 2.2 and 2.3); and
- C) a statement as to how the propagation of the endangered or threatened species is necessary for the success of the scientific or zoological/botanical project.

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

2) A permit for the propagation or attempted propagation of endangered or threatened animals or federal endangered plants will be issued if the proposed propagation project meets the following criteria:

A) propagation of the species will enhance the survival and welfare of the species through supplementation of natural populations or by adding significantly to the knowledge of the species in its natural environment; and

B) propagation is essential to the completion of the objectives stated in the application for a general permit for scientific or zoological/botanical purposes.

e) The holder of a permit may allow temporary possession of animal products covered by that permit by a licensed taxidermist for the purpose of providing taxidermic services (e.g. mounting, cleaning, tanning). A copy of the permit or a signed statement by the permit holder attesting to the existence of such a permit must accompany the products while in the possession of the taxidermist. Taxidermic services shall be provided only by persons licensed as taxidermists by the Department pursuant to Section 5.15 of the Fish Code (Ill. Rev. Stat. 1987, ch. 36, par. 5.15) and Section 3.21 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, par. 3.21) or by appropriate authorities of another state.

f) The holder of a permit may dispose of specimens or products covered by that permit through transfer or scrapping only after a permit for disposal has been applied for and received from the Department. The application for a transfer permit shall include the name and address of the intended recipient of the specimens or product. Transfer will be allowed only after the intended recipient has applied for and received the necessary permit for possession.

Section 1070.40 Limited Permit Provisions

a) To possess, purchase, or dispose of specimens or products of endangered or threatened animals or federal endangered plants, the applicant must demonstrate that the specimen or product was acquired prior to May 1, 1973, or otherwise legally acquired.

b) To demonstrate that specimens or products of endangered or threatened animals or federal endangered plants were acquired prior to May 1, 1973, or otherwise legally acquired, the applicant must provide a statement of purchase or a notarized statement explaining the circumstances of the acquisition of the specimens or products.

c) The holder of a limited permit may allow temporary (up to ninety (90) days) possession of specimens covered by the limited permit by another person only with the knowledge and written consent of the Director which shall be given if the other person meets the criteria of this Section. A

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

copy of the limited permit must accompany the specimen(s) while in the temporary possession of a person other than the person to whom the limited permit was issued, except that a falconer holding an endangered raptor must meet the requirements of 17 Ill. Adm. Code 1590.100(e)(2).

d) The holder of a limited permit may allow temporary (up to one hundred eighty (180) days) possession of products covered by the limited permit by another person. A copy of the limited permit or a statement identifying the existence of the permit must accompany the product(s) while in the possession of a person other than the person to whom the limited permit was issued.

e) The holder of a limited permit may dispose of specimen(s) covered by the limited permit only with the written consent of the Director which shall be given if the disposal meets the requirements of this Part. The permittee must inform the Department in advance of plans for disposal of the specimen(s). If specimen(s) are to be scrapped, the permit holder must provide full details of the reasons for scrapping and the methods to be used to the Director. In the case of a transfer, the name and mailing address of the intended recipient must be provided to the Department. The intended recipient will be provided with an application for a limited permit. Upon approval of that application, transfer of the specimens will be allowed.

f) The holder of a limited permit may dispose of product(s) covered by the permit through sale, gift, or scrapping. Disposition by sale or gift must be reported to the Department prior to the transfer. Upon receipt of the name and mailing address of the intended recipient, the Department will provide the intended recipient with an application form for a limited permit. Upon approval of that application, the transfer will be allowed. Disposition of products by scrapping may occur without prior approval of the Director. When product(s) are scrapped, the limited permit allowing possession of said product(s) must be returned to the Department for modification and reissuance or for cancellation if the permittee has disposed of all covered items.

g) The holder of a limited permit may allow temporary possession of the items covered by that permit by a licensed taxidermist for the purpose of providing taxidermic services (e.g. mounting, cleaning, tanning). A copy of the limited permit or a signed statement by the permit holder attesting to the existence of the permit must accompany the products while in the possession of the taxidermist. Taxidermic services shall be provided only by persons licensed as taxidermists by the Department (See Section 1070.30(e)) or by the appropriate authorities in another state.

Section 1070.50 Reporting Requirements

a) Holders of permits of all types and limited permits for the possession of specimens of endangered or threatened animals or federal endangered

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

plants must submit a report by January 31 of each year on forms provided by the Department which summarizes activities conducted under the permit during the preceding calendar year.

- b) Holders of permits for scientific purposes must provide the Department with two copies of any reports, technical papers, or technical notes that result from studies conducted under the auspices of the permit.
- c) A permit holder shall notify the Department of any change in his name or address or any change in his operations which would affect his status as a research facility, educator, or zoological/botanical facility within ten (10) days after making such a change.
- d) Any reduction of inventory of specimens covered by a permit through escape, theft, death, or other unanticipated events shall be reported to the Department within five (5) working days of the discovery of the loss.
- e) Recovery of such specimens reported in subsection (d) shall be reported to the Department within 5 working days of the recovery.

Section 1070.60 Facilities and Animal Welfare Standards (Animal)

- a) A copy of applicable facilities and animal welfare standards (See subsection (c)) will be supplied with each application form, and the applicant's signature on the application form shall be acknowledgement of the receipt of the standards and an agreement to comply with the standards.
- b) Each applicant or permit holder must demonstrate that his premises and any facilities or equipment used in his operation comply with the standards set forth in this Section. If necessary to assure adequacy of facilities upon application or upon receipt of complaint, the Coordinator or the Director shall request the applicant or permit holder to make his premises, facilities, and equipment available at a time or times mutually agreeable to said applicant or permit holder and the Board's or Department's representative for the purpose of ascertaining compliance with said standards. If the applicant's or permit holder's premises, facilities, or equipment do not meet the requirements of the standards, the applicant or permit holder will be advised of existing deficiencies and the corrective measures that must be taken and completed to bring such premises, facilities, and equipment into compliance with the standards. Permit holders will be given a deadline by which prescribed corrective measures must be completed.
- c) Construction and maintenance of facilities and animal welfare practices must meet the standards defined in the Federal Animal Welfare Act (9 CFR 3.125 through 3.135, July 22, 1979, no further additions or amendments are included).

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

Section 1070.70 Facilities Standards (Plant)

- a) A copy of applicable facilities standards will be supplied with each application form, and the applicant's signature on the application form shall be an acknowledgement of the receipt of the standards and an agreement to comply with the standards.
- b) Each applicant or permit holder must demonstrate that his premises and any facilities or equipment used in his operation comply with the standards set forth in this Section. Upon request by the Coordinator or the Director, the applicant or permit holder must make his premises, facilities, and equipment available at a time or times mutually agreeable to said applicant or permit holder and the Board's or Department's representative for the purpose of ascertaining compliance with said standards. If the applicant's or permit holder's premises, facilities, or equipment do not meet the requirements of the standards, the applicant or permit holder will be advised of existing deficiencies and the corrective measures that must be taken and completed to bring such premises, facilities, and equipment into compliance with the standards. Permit holders will be given a deadline by which prescribed corrective measures must be completed.
- c) The facility must be constructed of such materials and must be of such strength and of such dimensions as appropriate for the intended purposes. Facilities shall be structurally sound and maintained in good repair to protect the plants from damage by unauthorized persons or other causes.
- d) Electric power, if required to comply with other provisions of this Section, shall be available on the premises.
- e) Temperature in indoor facilities shall be regulated by heating or cooling to assure simulation of conditions in the plant's natural environment.
- f) Indoor facilities shall have lighting, by natural or artificial means or both, of quality, intensity, color, temperature, distribution, and duration as appropriate for the species involved.
- g) Outdoor facilities shall be sited and constructed to simulate the natural environment of the plant with regard to soil type, moisture, temperature, lighting and all other factors necessary for survival and growth.

Section 1070.80 Revocation

- a) Permits, limited permits, and permits for propagation shall be revoked by the Department for the following reasons:
 - 1) The Department finds that the permit holder has obtained the permit on the basis of false information or is not complying with the terms or conditions of the permit.

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

- 2) Reports outlined in Section 1070.50 are not submitted by the stated deadline, are incomplete, or contain false information; provided, however, that prior to such revocation the permittee shall be given notice and opportunity to comply with the reporting requirements. Failure to comply with the reporting requirements within sixty (60) days from receipt of such notice shall result in revocation of the permit.
- 3) Failure to comply with any facilities standards or animal welfare standards established by this Part; provided, however, that prior to such revocation the permittee shall be given notice and opportunity to comply with those standards. Failure to comply with facility or animal welfare standards within sixty (60) days from receipt of such notice shall result in revocation of the permit.
- 4) Violation of State or Federal laws.
- b) Any person whose permit has been revoked shall not be eligible to apply for a new permit in his own name or in any other name for a period of one (1) year from the effective date of the revocation.
- c) Any person who has been or is an officer, agent or employee of a permittee whose permit has been revoked and who was responsible for or participated in the violation upon which the revocation was based shall not receive a permit within the period during which the revocation is in effect.
- d) The procedure by which revocations are made, the rights of permittees to notice and hearing, and the procedures governing such hearing are set forth in 17 Ill. Adm. Code 2530.

NOTICE OF ADOPTED RULES

- 1) THE HEADING OF THE PART: The Taking of Wild Turkeys - Fall Gun Season
- 2) CODE CITATION: 17 Ill. Adm. Code 715
- 3) SECTION NUMBERS:
715.10 New Section
715.20 New Section
715.30 New Section
715.40 New Section
ADOPTED ACTION:
- 4) STATUTORY AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11)
- 5) EFFECTIVE DATE OF RULES: September 6, 1989
- 6) DOES THIS RULEMAKING CONTAIN AN AUTOMATIC REPEAL DATE? No
- 7) DOES THIS RULE CONTAIN INCORPORATIONS BY REFERENCE? No
- 8) DATE FILED IN AGENCY'S PRINCIPAL OFFICE: September 5, 1989
- 9) NOTICE OF PROPOSAL PUBLISHED IN ILLINOIS REGISTER: May 26, 1989, 13 Ill. Reg. 7834
- 10) HAS JCAR ISSUED A STATEMENT OF OBJECTIONS TO THESE RULES? No
- 11) DIFFERENCES BETWEEN PROPOSAL AND FINAL VERSION:
In Section 715.10(b), a space was inserted in "Jo Daviess."
In Section 715.20(a), the address was moved to the left 1/2 inch.
In Section 715.20(c), "will be publicly announced" was replaced with "are July 5 through July 19" and "Applications post-marked after July 19 will not be included in the drawing" was added at the end of the paragraph.
In Section 715.20(d), "beginning September 5" was added at the end of the first sentence and "The application dates will be publicly announced" was removed.
In Section 715.20(f)(2)(C), a parenthesis was added at the beginning of the second line.
In Section 715.20(f)(5), "if" in line three was changed to "of."
In Section 715.40(a), "(See 17 Ill. Adm. Code 510)" was added following "regulations."

- 12) HAVE ALL THE CHANGES AGREED UPON BY THE AGENCY AND JCAR BEEN MADE AS INDICATED IN THE AGREEMENT LETTER ISSUED BY JCAR? Yes
- 13) WILL THESE RULES REPLACE AN EMERGENCY RULE (AMENDMENT, REPEALER) CURRENTLY IN EFFECT? No
- 14) ARE THERE ANY AMENDMENTS PENDING ON THIS PART? No
- 15) SUMMARY AND PURPOSE OF RULES: The turkey population in Illinois has increased to the point that the Department has made the determination to open a fall gun season for wild turkey hunting. The opening of this season will offer greater recreational opportunities to Illinois hunters.
- 16) INFORMATION AND QUESTIONS REGARDING THESE ADOPTED RULES SHALL BE DIRECTED TO:

Jack Price
Lincoln Tower Plaza
524 S. Second Street
Springfield, Illinois 62701-1787

THE FULL TEXT OF THE ADOPTED RULES BEGINS ON THE NEXT PAGE

TITLE 17: CONSERVATION
CHAPTER 1: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 715

THE TAKING OF WILD TURKEYS - FALL GUN SEASON

Section
715.10 Hunting Season and Permit Quotas
715.20 Turkey Permit Requirements
715.30 Turkey Hunting Regulations
715.40 Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, pars. 1.3, 1.4, 1.20, 2.9, 2.10 and 2.11).

SOURCE: Adopted at 13 Ill. Reg. 14950, effective September 6, 1989.

Section 715.10 Hunting Season and Permit Quotas

a) Season: October 14 through October 22, 1989.

b) Open Counties and Permit Quotas

OPEN COUNTIES	NUMBER OF PERMITS PER SEASON
Adams	125
Alexander	100
Brown	150
Calhoun	175
Gallatin/Hardin (south of Rt. 13 only)	200
Jackson	250
Jersey	100
Jo Daviess	225
Marshall/Putnam (east of Ill. River only)	75
Pike	250
Pope (north of Rt. 146 only)	300
Saline	50
Schuyler	200
Union	250
Williamson	50

Section 715.20 Turkey Permit Requirements

a) To take, or attempt to take, a wild turkey, Illinois residents must first obtain a "Wild Turkey Hunting Permit" from the Department of Conservation for a fee of \$15.00. Non-resident turkey hunters shall be

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

charged the same fee for wild turkey hunting permits as that charged residents of Illinois by the state in which the applicant resides, except that in no case shall the fee be less than \$30.00. If the state in which the applicant resides does not provide for turkey hunting by Illinois residents, then the fee shall be \$75.00. Non-residents are also required to obtain a Non-Resident Hunting License before hunting wild turkeys. Residents, except those exempted by Section 3.1 of the Wildlife Code (Ill. Rev. Stat. 1987, ch. 61, par. 3.1) are also required to obtain a hunting license before hunting wild turkey. Permits are issued for a specific county or area and are valid only in the county or area designated on the permit. Applications for wild turkey permits must be mailed to:

Department of Conservation - Turkey
524 S. Second Street, Room 210
P.O. Box 19446
Springfield, IL 62794-9446

- b) Applicants must complete all portions of the permit application form. Incomplete applications will be rejected and fees returned. Each applicant must submit a personal check or money order for his/her individual application. Not more than 4 applications may be submitted for group hunters. Applicants submitting applications within three weeks of the season will not be guaranteed receipt of permit by start of season.
- c) The application dates for obtaining permits are July 5 through July 19. All requests must be on an official application form. Permits are not transferable and refunds will not be granted. Permits will be allocated in a computerized drawing to be held in Springfield in which the first choice of county will be allocated before the second choice is considered. Applications post-marked after July 19 will not be included in the drawing.
- d) Permits not issued during the computerized drawing will be available in a random daily drawing beginning September 5. All hunters not receiving a permit in the computerized drawing may apply at this time for the available permits.
- e) Landowners or tenants of 40 acres or more land and members of their immediate family may apply for one free turkey permit for their property only in counties open for turkey hunting. A tenant for the purpose of this Part is one who rents 40 acres or more land for commercial agricultural purposes under an agreement with a landowner. Commercial agriculture shall be defined as utilization of land for the raising of hay, grain crops or livestock for profit. All landowners or tenants that do not reside on the property must possess a valid hunting license.
- f) Landowners, or tenants are not required to participate in the public drawing for permits and are not counted toward the total number of permits issued for a particular county.

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

- 1) The immediate family is limited to the spouse, children, and parents permanently residing on the same property as the landowner or tenant.
- 2) Proof of ownership for all free landowner or tenant applications must be provided by one of the following methods:
 - A) Submittal of a copy of property deed;
 - B) Submittal of a copy of contract for deed; or
 - C) Submittal of copy of most recent real estate tax statement. (If name on tax statement is different from name of landowner, proof of purchase agreement must be submitted).
- 3) If you are applying for a tenant permit, you are required to submit, in addition to the landowner certification and proof of ownership, a copy of one of the following:
 - A) A copy of Internal Revenue Service Schedule F 1988; or
 - B) Any document showing participation in Set Aside or Agricultural Conservation Programs (ACP) such as a form Agricultural Stabilization and Conservation Service 476, Commodity Credit Corporation 477 or Agricultural Conservation Programs 245.
- 4) A hunting rights lease, or other non-agricultural lease, is not valid for a landowner or tenant permit.
- 5) If the property is owned or rented by more than one person: Only one landowner (and his immediate family) or one tenant (and his immediate family) will be issued a permit for every 40 acres of owned or rented land.
- 6) For example, if 3 persons own 90 acres, only 2 of the landowners and their immediate family may receive turkey permits.
- 7) Shareholders of corporations owning 40 or more acres of land in a county may apply for a free permit to hunt the corporation lands only. Only one permit per 40 acres, for a maximum number of 15 permits per county shall be issued based on ownership of lands by corporations. Lands leased to corporations shall not be considered as a basis for a free permit for the shareholders of the lessee. Lands held in trust by corporations shall not be considered as a basis for a free permit by the shareholders of the trustee. If application is made for a free permit based upon lands owned by the corporation, a duly authorized officer of the corporation must sign a notarized statement authorizing the applicant to hunt on the

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

corporate lands for which a permit is being requested. This statement must identify the applicant is a shareholder, identify authorization to hunt and identify that no more than 15 authorizations will be requested per county for the corporation lands. This document must be attached to the application upon submittal to the Permit Office.

- g) A \$3.00 service fee will be charged for replacement permits issued by the Department.
- h) It shall be unlawful to:
 - 1) Submit applications for receiving more than one permit for the same person; or
 - 2) Provide false and/or deceptive information on a permit application form. In addition to criminal charges, individuals found guilty of violating this Section shall have their application rejected, permit revoked, and fees forfeited.

Section 715.30 Turkey Hunting Regulations

It is unlawful:

- a) to use live turkey decoys, recorded calls, dogs or bait;
- b) to take, or attempt to take, more than one wild turkey per valid permit;
- c) to use any weapon except a shotgun. #4 shot is the largest and #7½ is the smallest size shot that may be legally used;
- d) to hunt except from ½ hour before sunrise to sunset during each day of the season;
- e) for any person to hunt wild turkeys without having a signed Wild Turkey Hunting Permit in possession;
- f) to transport a wild turkey without first affixing the adhesive-backed turkey permit securely around the leg. Leg tag must be affixed to the turkey immediately upon taking possession. The wild turkey shall be taken whole (not dressed) to the designated check station for the county in which it was killed, or the closest check station, by 7:00 p.m. the same day it was killed. It will be checked, tagged and recorded by the Department at the check station; and
- g) for any person to shoot a wild turkey while it is in a tree before 7:00 a.m.

DEPARTMENT OF CONSERVATION

NOTICE OF ADOPTED RULES

Section 715.40 Regulations at Various Department-Owned or -Managed Sites

- a) Statewide regulations (See 17 Ill. Adm. Code 510) shall apply for the following sites:

Pike County Conservation Area

Shawnee National Forest

- b) Statewide regulations shall apply except that all hunters must check in and check out and must report turkey harvest at the check station or on a sign out sheet at the areas listed below. Quotas, where listed, will be on a first-come, first-serve basis. Hunters will not be allowed to sign in prior to 4 a.m. each day of the season.

Pere Marquette State Park - Public Hunting Area

Saline County Conservation Area

Siloam Springs State Park - quota 20

Trail of Tears State Forest

Union County Conservation Area - Firing Line Management Unit Only

Weinburg-King State Park

- c) Statewide regulations shall apply except that all hunters must sign in and check out to report turkeys harvested. There will be a daily quota of 2 (two) hunters which will be taken on a first-come, first-served basis. Hunters will not be allowed to sign in prior to 4 a.m. each day of the season.

Tapley Woods

- d) Additional regulations may be posted at the sites when more restriction is required. These additional regulations shall include, but not be limited to, selected check stations, limited hunting hours, and designated first-come, first-serve sites.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Gifted Education
- 2) Code Citation: 23 Ill. Adm. Code 227
- 3) Section Number:
 227.10 Adopted Action:
 227.12 Amendment
 227.14 New Section
 227.16 New Section
 227.18 New Section
 227.30 Amendment
 227.40 Amendment
- 4) Statutory Authority: Ill. Rev. Stat. 1987, ch. 122, par. 14A-1 et seq.
- 5) Effective Date of Amendments: September 6, 1989
- 6) Does this rulemaking contain an automatic repeal date? Yes X No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: September 1, 1989
- 9) Notice of Proposal Published in Illinois Register:
 March 31, 1989, 13 Ill. Reg. 4097

- 10) Has JCAR issued a Statement of Objections to this (these) rule(s)? No

- 11) Difference(s) between proposal and final version: In response to public comment, the State Board agreed to make the following changes:

- a) In the last sentence of Section 227.16(d), "Sections" has been changed to "Section" and "and 227.20(c)" has been deleted.
- b) In Section 227.18(b)(3), "policy" has been changed to "intent."
- c) In the last sentence of Section 227.30, "also" has been inserted.
- d) In the first sentence of Section 227.14(b), "components" has been inserted.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- e) Section 227.16(e) has been added and the section title has been amended.

Pursuant to discussions with JCAR, the State Board agreed

- 1) To modify the Authority Note to reflect the adopt on of P.A. 85-1389.
- 2) To add after the word "pupils" the term "gifted education" in Section 227.12(a).
- 3) To delete the phrase "shall be prepared using a format specified by the State Board of Education" in Section 227.12(b).
- 4) To redraft Section 227.14(a)(4) to state "that portion of the district's ongoing staff development plan (developed pursuant to 23 Ill. Adm. Code 30) designed for the educational personnel referred to in subsection (a)(3)...."
- 5) To modify Section 227.16(a) to state "The State Board of Education will approve the Plan if the Plan conforms to the requirements listed in Section 227.14."
- 6) To add the phrase "within 45 days" at the end of Section 227.16(b)(2).
- 7) To modify Section 227.18(b) to state "Subject to the conditions set forth in subsection (a) of this Section, the State Board of Education shall determine the extent to which the approved Plans or components thereof shall be implemented, on the basis of . . ."
- 8) To delete the phrase "in detail" from Section 227.40(b)(4).
- 9) To delete Section 227.40(c) and reletter subsections (d) and (e) to (c) and (d).
- 10) To change the period after 122 to a comma and include "par." before "14A-5" in Section 227.14(b).
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this amendment replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No

- 15) Summary and Purpose of Amendments:
The amendments implement the provisions of two pieces of legislation, P.A. 85-880 and P.A. 85-1389.
- P.A. 85-880 requires the development of school district plans for the provision of comprehensive gifted and talented education programs. New sections set forth the standards for such plans, and the existing Section 227.40 has been amended to conform to the new, more comprehensive effort required.
- P.A. 85-1389 deletes the requirement for special recognition of students who participate in gifted education programs. Accordingly, Section 227.30(d) is being deleted.
- 16) Information and questions regarding this adopted amendment shall be directed to:

Name: Rob Sampson
Address: Illinois State Board of Education
100 North First Street
Springfield, Illinois 62777
Telephone: (217) 782-2826

The full text of the Adopted Amendments begins on the next page:

ILLINOIS REGISTER

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES
SUBTITLE A: EDUCATION
CHAPTER I: STATE BOARD OF EDUCATION
SUBCHAPTER F: INSTRUCTION FOR SPECIFIC STUDENT POPULATIONS

PART 227
GIFTED EDUCATION

Section	Definition of Terms
227.10	Comprehensive Plan for Gifted and Talented Education
227.12	Contents of the Plan
227.14	Gifted and Talented Education Plan Approval and Amendment Process
227.16	Implementation of Plans
227.18	The Establishment and Administration of Gifted Education Programs
227.20	Gifted Education Instructional Programs
227.30	Identification and Assessment of Gifted and Talented Children
227.40	Educational Personnel for Gifted Programs
227.50	Evaluation of Gifted Programs
227.60	Area Service Centers (Repealed)
227.70	Eligibility to Serve as Area Service Center (Repealed)
227.75	Application for Designation as ASC (Repealed)
227.80	Designation of Area Service Centers (Repealed)
227.85	Terms of Area Service Center Contract (Repealed)
227.90	Institutes (Repealed)
227.95	Institute Eligibility (Repealed)
227.100	Application for Institute Designation (Repealed)
227.105	Institute Designation (Repealed)
227.110	Terms of the Institute Contract (Repealed)
227.115	

AUTHORITY: Implementing and authorized by Article 14A of The School Code (Ill. Rev. Stat. 1988 Supp., ch. 122, pars. 14A-1 et seq.)

SOURCE: Adopted April 11, 1974; codified at 7 Ill. Reg. 16505; Part repealed, new Part adopted at 9 Ill. Reg. 9988, effective June 14, 1985; amended at 10 Ill. Reg. 21661, effective December 17, 1986; amended at 13 Ill. Reg. 14957, effective Sept. 6, 1989.

NOTE: Capitalization denotes statutory language.

Section 227.10 Definition of Terms

"Advisory Council" means the Advisory Council on Education of Gifted Children defined in Section 14A-4 of The School Code (Ill. Rev. Stat. 1985 1987, ch. 122, par. 14A-4).

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

"Educational Assessment" means all those activities which contribute to a more comprehensive and accurate understanding of the child and his or her educational needs. These activities shall include testing, staffing and evaluation of academic history.

"Educational Service Center (ESC)" means a state funded agency established within a specific geographic region to provide services to local education agencies (LEA's) in meeting the educational needs of gifted and talented children as provided in 23 Ill. Adm. Code 500.50 (b)(1) (Educational Service Centers).

"Gifted and Talented Children" means those children who consistently excel or show the potential to be consistently superior in one or more of the following areas of human endeavor:

General Intellectual Ability. The child possesses general intellectual ability, HIGH LEVEL THOUGHT PROCESSES (e.g., the ability to make valid generalizations about events, people and things), OR DIVERGENT THINKING (e.g., the ability to identify and consider multiple, valid solutions to a given problem) which is consistently superior to that of other children to the extent that he or she needs and can profit from specially planned educational services beyond those normally provided by the standard school program.

Specific Aptitude/Talent. The child possesses a specific aptitude/talent in a specific academic area, creativity or the arts which is consistently superior to the aptitudes of other children to the extent that he or she needs and can profit from specially planned educational services beyond those normally provided by the standard school program.

"Gifted Education Program" means those instructional programs, supportive services, unique materials, learning settings, and other state and local educational services as described in Article 14A of The School Code and herein, which modify, supplement, and support the standard education program of the public schools, and shall include the following components:

Identification of the gifted and talented child.

Assessment of the nature of the child's cognitive and affective educational needs for the purpose of developing a suitable program.

Instruction which is based upon an assessment of the student's educational needs.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

Continued evaluation and refinement of the program.

"Instructional Services" means those instructional activities which are provided for gifted and talented children in a standard classroom or other educational setting relevant to the gifted student's needs.

"Local Education Agency (LEA)" means a public school board of education, an educational service region or a combination of these, or other public authority legally constituted within the state that is recognized by the state to be an administrative agency for public elementary or secondary schools.

"Reimbursement Coordinator" means the person who is directly responsible for the administration and operation of the program for gifted and talented children within an LEA.

"Reimbursement Program" means an educational program designed to meet the educational needs of gifted and talented children that receives reimbursement for services and materials as described in Section 14A-5 of The School Code.

"Staffing" means a meeting of personnel such as classroom teachers, school administrators, psychologists, guidance counselors, academic discipline specialists, parents, and students for the purposes of:

Determining the eligibility of students for specially planned education services.

Determining the appropriate provision of these services.

Reviewing the educational progress of the gifted and talented students.

"Standard School Program" means the educational program generally offered by the local school district to the majority of its students.

(Source: Amended at 13 Ill. Reg. 14957, effective 9/6/89)

Section 227.12 Comprehensive Plan for Gifted and Talented Education

- a) Pursuant to the provisions of Section 14A-3.1 of The School Code (Ill. Rev. Stat. 1987, ch. 122, par. 14A-3.1), each school district SHALL DEVELOP A PLAN WHICH EITHER PROVIDES OR MAKES AVAILABLE FOR ALL GIFTED AND TALENTED PUPILS GIFTED EDUCATION PROGRAM(S) (as defined in Section 227.10 of this Part) WHICH ENCOMPASS ALL GRADE LEVELS AND FUNDAMENTAL AREAS OF LEARNING as set forth in 23 Ill. Adm. Code 210. Appendix A (Learning Assessment and School Improvement Plans).

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

- b) Each comprehensive plan for gifted and talented education (hereinafter called a Plan) shall at least contain the information required in Section 227.14 of this Part and shall be submitted to the State Board of Education by December 31, 1989 for review and approval in accordance with Section 227.16 of this Part.

(Source: Added at 13 Ill. Reg. 14957, effective 9/6/89)

Section 227.14 Contents of the Plan

- a) Each Plan must include a description of:

- 1) a system for the identification and assessment of gifted and talented children that meets the requirements of Section 227.40 of this Part;
- 2) a gifted education program that:
 - A) meets the requirements of Sections 227.10 and 227.12(a) of this Part; and
 - B) reflects in scope the district's estimate of the number of gifted and talented students it expects to serve by grade level and fundamental area of learning;
- 3) educational personnel needed to provide instructional and other services pursuant to subsections (a)(1) and (a)(2);
- 4) that portion of the district's ongoing staff development plan (developed pursuant to 23 Ill. Adm. Code 30) designed for the educational personnel referred to in subsection (a)(3); and
- 5) evaluation procedures that meet the requirements of Sections 227.30(b) and 227.60 of this Part.

- b) Each Plan shall also include a budget, completed on forms provided by the State Board of Education, which shall be an estimate of the school district's costs for operating the program components described in its Plan. For the purpose of establishing accurate estimates of these costs, school districts shall not be constrained by the reimbursement limitations set forth in Section 14A-5 of The School Code (Ill. Rev. Stat. 1987, ch. 122, par. 14A-5).

(Source: Added at 13 Ill. Reg. 14957 effective 9/6/89)

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

Section 227.16 Gifted and Talented Education Plan Approval and Amendment Process

- a) The State Board of Education will approve the Plan if the Plan conforms to the requirements listed in Section 227.14.
- b) Upon completion of review of the Plan, the State Superintendent of Education shall send a letter to the submitting LEA, indicating that:
 - 1) its Plan has been approved pursuant to the provisions of subsection (a) of this Section; or
 - 2) its Plan can be approved upon submission of specified revisions and/or additional information within 45 days.
- c) Upon completion of review of information submitted by a school district pursuant to the provisions of subsection (b)(2) of this Section, the school district will be notified in writing that its Plan has been approved or that the Plan remains unapprovable for reasons which shall be specified.
- d) A school district must have an approved Plan on file with the State Board of Education in order to be eligible for reimbursement of the costs of implementing its Plan. Annual reimbursement for programs based upon approved Plans shall be provided in accordance with the provisions of Section 227.18 of this Part.
- e) Each school district shall review its Gifted and Talented Education Plan annually and may amend it to ensure that services meet the changing needs of students.
 - 1) Amendments to Plans shall be submitted to the State Board of Education for approval prior to their implementation.
 - 2) The State Board shall notify the district of the approval status of its amended Plan as set forth in Section 227.16(b).
 - 3) Amendments will be approved if the resulting Plan continues to meet the criteria set forth in Section 227.14.

(Source: Added at 13 Ill. Reg. 14957 effective 9/6/89)

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

Section 227.18 Implementation of Plans

a) IMPLEMENTATION OF THE PLANS OR COMPONENTS THEREOF (i.e., as specified in Section 227.14(a) in relation to grade levels and fundamental learning areas) AS DETERMINED BY THE STATE BOARD OF EDUCATION SHALL BEGIN DURING THE 1991-92 SCHOOL YEAR, provided that THE GOVERNOR AND THE GENERAL ASSEMBLY have accepted the FORMULA AND FUNDING LEVEL TO BE SUBMITTED TO THEM BY THE STATE BOARD OF EDUCATION BY JANUARY 31, 1991 (Section 144-3.1 of The School Code).

b) Subject to the condition set forth in subsection (a) of this Section, the State Board of Education shall determine the extent to which the approved Plans or components thereof shall be implemented, on the basis of:

- 1) the sum of the estimated costs for the Plans and for their components;
- 2) the extent of additional personnel and other resources needed to implement the Plans or their components; and

3) the intent of the State Board of Education to achieve full implementation of the Plans at the earliest possible date.

c) The State Board of Education shall send a written notice to all districts indicating the Board's implementation decision pursuant to this Section within thirty (30) days of adopting said decision.

(Source: Added at 13 Ill. Reg. 14957, effective 9/6/89)

Section 227.30 Gifted Education Instructional Programs

a) Those LEA's receiving gifted reimbursement funds shall design gifted education programs in direct response to the educational needs of children identified as gifted and talented in one of the areas of human endeavor defined in Section 227.10.

b) Educational objectives, experiences, and evaluation techniques shall be developed by the LEA for each type of instructional program designed to meet the educational needs of gifted and talented children. These objectives, experiences, and evaluation techniques shall stress sequential education and be subject to continuing review, evaluation, and revision through consultation with individuals involved in the program, e.g., LEA personnel, ESC personnel, students and parents.

c) Programs and services designed to meet the educational needs of gifted and talented children shall be an integrated part of the standard school program. These programs and services may also provide learning experiences that occur in settings and at times other than those of the regular school program, including optional summer school.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

d) Students who have successfully participated for at least one semester in an elementary and/or secondary school-gifted-education program shall receive special recognition upon their graduation from elementary and/or secondary school. Recognition devices may include an awards ceremony, a special certificate, a notation in the graduation program, or similar devices.

(Source: Amended at 13 Ill. Reg. 14957, effective 9/6/89)

Section 227.40 Identification and Assessment of Gifted and Talented Children

a) Subject to subsection (c) below, in order to qualify for program approval, an LEA shall indicate in its proposal that gifted and talented children have been identified through a process consistent with subsection (b), for participation in the program to be reimbursed. These children may be identified in any or all grades from pre-kindergarten through grade 12, but must be identified as gifted in one or more of the areas of human endeavor as defined in Section 227.10.

b) The process for identifying children as gifted and talented shall be determined by the LEA. However, the identification process shall meet the following standards:

1) It must compare the gifted and talented student's abilities to those of all others in the LEA population. It must be applied to all students in the LEA population.

2) It must establish, make public, and apply criteria for selecting a child from the LEA's target student population for differentiated instructional programs or services.

3) It must establish and apply specific cutoff points when standardized tests are used. It must uniformly apply any criteria for selection to every child in the LEA population for whom they are applicable (e.g., according to grade level, academic area, or area of talent).

4) It must relate the criteria for selection to the instructional program or service to be provided. It must describe specific means used for student identification and make use of both objective measures and professional judgment such as those enumerated in subsections (A) and (B), respectively.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

A) Objective measures

Specific subject matter tests
Achievement test sub-scores
Creativity tests
Pictorial, nonverbal, or abstract reasoning tests
Individual intelligence tests
Group verbal intelligence or mental ability tests;

B) Professional judgment

Teacher or specialist, e.g., counselor, psychologist,
or other professional evaluation
Past school performance
Evidence of accomplishment or ability, e.g.,
portfolio, audition, or other performance.

5) It must equally apply the criteria for selection to every child in the LEA population.

6) It must describe in detail specific means used for student identification for program approval and it must use a minimum of three identification devices with at least one selected from each of the following groups:

A) Reading readiness tests, e.g., picture identification
Reading vocabulary tests
Reading comprehension tests
Group verbal intelligence or mental ability tests

B) Specific subject matter tests
Achievement test sub-scores other than reading
Individual intelligence tests
Creativity tests
Pictorial/nonverbal/abstract reasoning tests

C) Teacher or specialist, e.g., counselor, psychologist, or
other professional evaluation
Past school performance
Evidence of accomplishment or ability, e.g., portfolio,
audition or other performance

e) An LEA writing a gifted program proposal for the first time need not identify its gifted and talented children prior to submitting that proposal for approval. However, one of the first-year objectives of that proposal shall be to identify gifted and talented children.

STATE BOARD OF EDUCATION

NOTICE OF ADOPTED AMENDMENTS

c) d)

All gifted and talented children who have been identified shall be given an educational assessment as defined in Section 227.10.

d) e)

The identification and assessment of a gifted child must be done prior to the development of an instructional program or service for that child.

(Source: Amended at 13111. Reg. 14957, effective 9/6/89)

ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD

NOTICE OF ADOPTED RULES

- 1) The Heading of the Part: University of Illinois Bargaining Units
- 2) Code Citation: 80 Ill. Adm. Code 1135
- 3) Section numbers:

<u>Adopted Action:</u>	
1135.10	New Section
1135.20	New Section
1135.30	New Section
- 4) Statutory Authority: Sections 5(g) and 9 of the Illinois Educational Labor Relations Act, Ill. Rev. Stat. 1987, ch. 48, pars. 1705(g) and 1709.
- 5) Effective Date of Rules: September 8, 1989
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this rule contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: June 29, 1989
- 9) Notice(s) of Proposal Published in Illinois Register:
September 16, 1988, 12 Ill. Reg. 14504
- 10) Has JCAR issued a Statement of Objections to this rule? No.
- 11) Difference(s) between proposal and final version:

Section 1135.20 Presumptively Appropriate Bargaining Units

a) 1) Unit 1: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenure or tenure track faculty; all full-time, nontenure track faculty who possess a terminal degree appropriate to the academic unit in which the faculty member is employed; and all full-time, nontenure track faculty without the appropriate terminal degree who have been employed for four consecutive semesters, excluding summer terms, but excluding all faculty members of the College of Law and the College of Veterinary Medicine.

- 2) Unit 2: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenure or tenure track faculty members of the College of Law.

ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD

NOTICE OF ADOPTED RULES

- 3) Unit 3: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenure or tenure track faculty members of the College of Veterinary Medicine.
- (14) Unit 4: All full-time non-visiting academic professionals exempted as Principal Administrative Appointments from "AN ACT to create the State Universities Civil Service System," who have a .50 or greater appointment in that position. (Ill. Rev. Stat. 1987, ch. 24 1/2, par. 38b4).
- (15) Unit 5: All full-time and regular part-time professional employees, as that term is defined in Section 2(k) of the Illinois Educational Labor Relations Act, who are not exempt from "AN ACT to create the State Universities Civil Service System." (Ill. Rev. Stat. 1987, ch. 48, par. 1702(k)).
- (16) Unit 6: All full-time and regular part-time technical and paraprofessional employees not exempt from "AN ACT to create the State Universities Civil Service System."
- (17) Unit 7: All full-time and regular part-time non-professional administrative and clerical employees not exempt from "AN ACT to create the State Universities Civil Service System."
- (18) Unit 8: All full-time and regular part-time service and maintenance employees not exempt from "AN ACT to create the State Universities Civil Service System."
- b) (1) Unit 1: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenure or tenure track faculty; all full-time, nontenure track faculty who possess a terminal degree appropriate to the academic unit in which the faculty member is employed; and all full-time, nontenure track faculty without the appropriate terminal degree who have been employed for four consecutive semesters, excluding summer terms, but excluding all faculty members of the College of Pharmacy, the College of Medicine and the College of Dentistry.
- 2) Unit 2: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenure or tenure track faculty members of the College of Dentistry.
- 3) Unit 3: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenure or tenure track faculty members of the College of Medicine.

ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD

NOTICE OF ADOPTED RULES

- 4) Unit 4: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenure or tenure track faculty members of the College of Pharmacy.
- (15) Unit 5: All full-time non-visiting academic professionals exempted as Principal Administrative Appointments from "AN ACT to create the State Universities Civil Service System," who have a .50 or greater appointment in that position. (Ill. Rev. Stat. 1987, ch. 24 1/2, par. 38b4).
- (16) Unit 6: All full-time and regular part-time professional employees, as that term is defined in Section 2(k) of the Illinois Educational Labor Relations Act, who are not exempt from "AN ACT to create the State Universities Civil Service System." (Ill. Rev. Stat. 1987, ch. 48, par. 1702(k)).
- (17) Unit 7: All full-time and regular part-time technical and paraprofessional employees not exempt from "AN ACT to create the State Universities Civil Service System."
- (18) Unit 8: All full-time and regular part-time non-professional administrative and clerical employees not exempt from "AN ACT to create the State Universities Civil Service System."
- (19) Unit 9: All full-time and regular part-time service and maintenance employees not exempt from "AN ACT to create the State Universities Civil Service System."

Section 1135.30 Bargaining Unit Determinations

- (a) Except under extraordinary circumstances, no petition for representation shall be entertained with respect to educational employees employed by the Board of Trustees of the University of Illinois if the petition seeks certification in a bargaining unit not in accordance with the provisions of this Part. The units set forth in Section 1135.20 are presumptively appropriate. Petitions for units other than those set forth in these rules may be filed and shall be processed in accord with the regular rules of this agency concerning representation cases. Units of educational employees of the Board of Trustees of the University of Illinois other than those set forth herein shall be established only if the petitioner can show the following by clear and convincing evidence:

- 1) that the unit is otherwise appropriate under Section 7 of the IELRA;

ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD

NOTICE OF ADOPTED RULES

- 2) that special circumstances and compelling justifications make it appropriate for the IELRB to establish a unit different from those set forth above;
- 3) that establishment of a different unit will not cause undue fragmentation of bargaining or proliferation of bargaining units.
- (b) Nothing in this Part shall be construed to prohibit a representation petition combining two or more of the bargaining units set forth in Section 1135.20(a)(15), (46), (57) and (68) or Section 1135.20(b)(16), (47), (58) and (69), respectively.
- (c) With respect to the bargaining units listed in Section 1135.20(a)(15), (46), (57) and (68) or Section 1135.20(b)(16), (47), (58) and (69), the individual units may be added to existing units by means of self-determination elections.
- (d) Notwithstanding the above, nothing shall prevent the Illinois Educational Labor Relations Board from holding hearings concerning the specific job classifications to be included in, or excluded from, each of the units listed in Section 1135.20 and from establishing additional rules about such matters.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes.
- 13) Will this rule replace an emergency rule currently in effect? No.
- 14) Are there any amendments pending on this Part? No.
- 15) Summary and Purpose of Rule(s): These rules set forth presumptively appropriate bargaining units for the University of Illinois. Rulemaking, rather than case-by-case adjudication, was selected for the University of Illinois for several reasons. Rulemaking will streamline the administrative process of deciding the appropriateness of the bargaining units at the University of Illinois by the elimination of delays and protracted hearings. It will also bring a degree of predictability to the bargaining units. In addition, this rulemaking will provide the parties with clear guidance as to the composition of presumptively appropriate bargaining units. Case-by-case adjudication was rejected because of its tendency to lead to excessive fragmentation of the work force and undue proliferation of bargaining units.

ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD

NOTICE OF ADOPTED RULES

- 16) Information and questions regarding this adopted rule shall be directed to:

Name: Julie K. Hughes, General Counsel

Address: Illinois Educational Labor Relations Board, 20 North Wacker Drive, Suite 1000, Chicago, Illinois, 60606

Telephone: (312) 793-3170

ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD

NOTICE OF ADOPTED RULES

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES
SUBTITLE C: LABOR RELATIONS
CHAPTER III: ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD

PART 1135

UNIVERSITY OF ILLINOIS BARGAINING UNITS

Section
1135.10
1135.20
1135.30

General Statement of Purpose
Presumptively Appropriate Bargaining Units
Bargaining Unit Determinations

AUTHORITY: Implementing Sections 3 and 7 and authorized by Sections 5(g) and 9 of the Illinois Educational Labor Relations Act (Ill. Rev. Stat. 1987, ch. 48, pars. 1707, 1703, 1705(g) and 1709).

SOURCE: Adopted at 13 Ill. Reg. 14969, effective Sept. 8, 1989.

Section 1135.10 General Statement of Purpose

This Part sets forth presumptively appropriate bargaining units for educational employees employed by the Board of Trustees of the University of Illinois. Nothing in this Part shall negate historical units created prior to January 1, 1984, or units certified by the Illinois Educational Labor Relations Board prior to the effective date of this Part. Nothing in this Part shall be construed to supersede this Part or rights of educational employees under Section 7 of the Act. Presumptively appropriate means that a bargaining unit has been found to have the requisite community of interest under Section 7(a) of the Illinois Educational Labor Relations Act (the Act) (Ill. Rev. Stat. 1987, ch. 48, par. 1707), unless the appropriateness is rebutted by contrary evidence.

Section 1135.20 Presumptively Appropriate Bargaining Units

- a) With respect to educational employees employed at the Urbana-Champaign campus or employed in units located outside Urbana-Champaign which report administratively to the Urbana-Champaign campus, the following units shall be presumptively appropriate for collective bargaining:
- 1) Unit 1: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenured or tenure-track faculty; all full-time, nontenure-track faculty who possess a terminal degree appropriate to the academic unit in which the faculty member is employed; and all full-time, nontenure-track faculty without the appropriate terminal degree who have been employed for four consecutive

ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD

NOTICE OF ADOPTED RULES

semesters, excluding summer terms, but excluding all faculty members of the College of Law and the College of Veterinary Medicine. A terminal degree is the highest degree attainable in a discipline.

- 2) Unit 2: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenure or tenure-track faculty members of the College of Law.
- 3) Unit 3: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenure or tenure-track faculty members of the College of Veterinary Medicine.
- 4) Unit 4: All full-time non-visiting academic professionals exempted as Principal Administrative Employees from Section 36e of "AN ACT to create the State Universities Civil Service System" (Ill. Rev. Stat. 1987, ch. 24 1/2, par. 38b4), who have a .50 or greater appointment in that position.
- 5) Unit 5: All full-time and regular part-time professional employees, as that term is defined in Section 2(k) of the Illinois Educational Labor Relations Act (Ill. Rev. Stat. 1987, ch. 48, par. 1702(k)), who are not exempt from "AN ACT to create the State Universities Civil Service System."
- 6) Unit 6: All full-time and regular part-time technical and paraprofessional employees not exempt from "AN ACT to create the State Universities Civil Service System" (Ill. Rev. Stat. 1987, ch. 24 1/2, par. 38b1, et seq.). A technical and paraprofessional employee is a person who performs work that is typically laboratory or field work.
- 7) Unit 7: All full-time and regular part-time non-professional administrative and clerical employees not exempt from "AN ACT to create the State Universities Civil Service System."
- 8) Unit 8: All full-time and regular part-time service and maintenance employees not exempt from "AN ACT to create the State Universities Civil Service System."

- b) With respect to educational employees employed at the Chicago campus or employed in units located outside Chicago which report administratively to the Chicago campus, the following units shall be presumptively appropriate for collective bargaining:

- 1) Unit 1: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenure or tenure-track faculty; all full-time, nontenure-track faculty who possess a terminal degree appropriate to the academic unit in which the faculty member is employed; and all full-time, nontenure-track faculty without the appropriate terminal degree who have been employed for four consecutive semesters, excluding summer terms, but excluding all faculty

ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD

NOTICE OF ADOPTED RULES

members of the College of Pharmacy, the College of Medicine and the College of Dentistry.

- 2) Unit 2: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenure or tenure-track faculty members of the College of Dentistry.
- 3) Unit 3: All full-time (i.e., employees who have .51 or greater appointment as a faculty member) tenure or tenure-track faculty members of the College of Medicine.
- 4) Unit 4: All full-time (i.e., employees who have a .51 or greater appointment as a faculty member) tenure or tenure-track faculty members of the College of Pharmacy.
- 5) Unit 5: All full-time non-visiting academic professionals exempted as Principal Administrative Employees from Section 36e of "AN ACT to create the State Universities Civil Service System", who have a .50 or greater appointment in that position.
- 6) Unit 6: All full-time and regular part-time professional employees, as that term is defined in Section 2(k) of the Illinois Educational Labor Relations Act (Ill. Rev. Stat. 1987, ch. 48, par. 1702(k)), who are not exempt from "AN ACT to create the State Universities Civil Service System."
- 7) Unit 7: All full-time and regular part-time technical and paraprofessional employees not exempt from "AN ACT to create the State Universities Civil Service System."
- 8) Unit 8: All full-time and regular part-time non-professional administrative and clerical employees not exempt from "AN ACT to create the State Universities Civil Service System."
- 9) Unit 9: All full-time and regular part-time service and maintenance employees not exempt from "AN ACT to create the State Universities Civil Service System."

Section 1135.30 Bargaining Unit Determinations

- a) The units set forth in Section 1135.20 are presumptively appropriate. Petitions for units other than those set forth in this Part may be filed and shall be processed in accord with the regular rules of this agency concerning representation cases (80 Ill. Adm. Code 1110). Units of educational employees of the Board of Trustees of the University of Illinois other than those set forth herein shall be established only if the petitioner can show the following by clear and convincing evidence:
 - 1) that the unit is otherwise appropriate under Section 7 of the Illinois Educational Labor Relations Act;
 - 2) that special circumstances and compelling justifications make it appropriate for the Illinois Educational Labor

ILLINOIS EDUCATIONAL LABOR RELATIONS BOARD

NOTICE OF ADOPTED RULES

Relations Board to establish a unit different from those set forth above;

- 3) that establishment of a different unit will not cause undue fragmentation of bargaining units or proliferation of bargaining units. Undue fragmentation of bargaining units or proliferation of bargaining units means that the number of bargaining units is such as to threaten to interrupt services, cause labor instability, and cause continual collective bargaining and a multitude of representation proceedings.
- b) Nothing in this Part shall be construed to prohibit a representation petition combining two or more of the bargaining units set forth in Section 1135.20(a)(5), (6), (7) and (8) or Section 1135.20(b)(6), (7), (8) and (9), respectively.
- c) With respect to the bargaining units listed in Section 1135.20(a)(5), (6), (7) and (8) or Section 1135.20(b)(6), (7), (8) and (9), the individual units may be added to existing units by means of self-determination elections.
- d) Notwithstanding the above, nothing shall prevent the Illinois Educational Labor Relations Board from holding hearings concerning the specific job classifications to be included in, or excluded from, each of the units listed in Section 1135.20 and from establishing additional rules about such matters.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part: Storage, Transportation, Sale and Use of Gasoline and Volatile Oils

2) Code Citation: 41 Ill. Adm. Code 180

3) Section Numbers:

180.10
180.15
180.20
180.21

Adopted Action:

Repealed, New Section
New Section
Amendment
New Section

4) Statutory Authority: Ill. Rev. Stat. 1987, Ch. 127 1/2, par. 154

5) Effective Date of Amendments: September 7, 1989

6) Does this rulemaking contain an automatic repeal date? No

If so, please specify date: _____

7) Does this amendment contain incorporations by reference? Yes - per Section 6.02(a)

8) Date Filed in Agency's Principal Office: August 28, 1989

9) Notice of Proposal Published in Illinois Register:

February 10, 1989, 13 Ill. Reg. 1756
(issue date)

10) Has JCAR issued a Statement of Objections to these amendments? If answer is "yes", please complete the following: No

A) Statement of Objection: _____
(issue date) _____ Ill. Reg. _____

B) Agency Response: _____
(issue date) _____ Ill. Reg. _____

C) Date Agency Response Submitted for Approval to JCAR: August 24, 1989

11) Differences between proposal and final version:

1. To delete the word "appropriate" in Section 180.10(h).
2. To change the text "SUS (Standard Units Saybolt)" to "Saybolt Universal Seconds (SUS)" in Section 180.10(h)(1).

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED RULES

3. To delete Section 180.20(a)(4).
4. To add the following text after "Marshal" in Section 180.20(b)(1): "(approval shall be granted if curb pumps are not present and if pumps are not located in any portion of a public roadway)".
5. To modify the text of Section 180.20(b)(4) by adding the following text after the word "Marshal":

; in granting such approval, the Office shall consider the following elements: leaks, compatibility of the tank and line with the product contained in the tank, whether any equipment has been recalled by the manufacturer, whether wiring at the dispensing location is in a rigid metal conduit within a radius of 30 feet and is otherwise in compliance with the National Electric Code (NFPA 70) 1987 (no subsequent dates or editions) and whether the dispensing location has seal-offs at all connections;
6. To add the following text to Section 180.20(b)(6):

and the vent shall be elevated to a height of at least four feet (unless directed in writing by the Office of the State Fire Marshal to a greater height, based on construction characteristics of the tank and fire safety considerations) or in which approval in writing for a lower height is granted by the Office of the State Fire Marshal, such approval to be based upon construction characteristics of the tank in question or unique physical conditions prevent a vent of that height from being installed;
7. To add the following parenthetical expression after "Underwriters Laboratories: in Section 180.20(b)(7)": "(as printed on page 4 of the Fire Protection Equipment Directory published by Underwriters Laboratories, January, 1988 (no subsequent dates or editions))".
8. To add the following text after "FM Engineering" in Section 180.20(b)(7): "(as printed on page ii of the Factory Mutual System Approval Guide 1989 published by Factory Mutual Research Corporation, 1989 (no subsequent dates or editions))".
9. To delete "effective" from Section 180.20(b)(7).

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

10. To add the following text after the words "vapor tight" in Section 180.20(b)(9): "(as determined by such tests as a pressure test and volumetric test)".
11. To add the following text after the words "two-hour fire resistant enclosure" in Section 180.20(b)(10): "(the time, in minutes or hours, that materials or assemblies have withstood a fire exposure as established in accordance with the test procedures of NFPA 251, Standard Methods of Fire Tests of Building Construction and Materials, 1985 (no subsequent dates or editions))".
12. To delete the word "approval" from Section 180.20(b)(10) and insert in lieu thereof: "acknowledgement".
13. To add the following text to Section 180.20(b)(9), with the words "Part 160" being deleted and the following text inserted in lieu thereof: "41 Ill. Adm. Code 160.15, 160.70-160, 160.80-240."
14. To delete all references to "emergency amendments" in its adopted rulemaking.
15. To spell out the acronym "LP" as "liquid petroleum (LP)" in Section 180.20(b)(10).
16. That subsections (7) and (8) in Section 180.20(f) be changed to "(1) and (2)."
17. To let Section 180.25 expire and indicating so in its Table of Contents for this Part by a notation "(Emergency Expired)".
18. To change "heating" to "heating" in Section 180.20(d)(3)(C).
19. To place "(UL)" after Underwriters Laboratories in Section 180.20(b)(7).
20. The definition of ASTM in Section 180.10 would read as follows: American Society for Testing and Materials.
21. To change "set" to "sit" in Sections 180.20(d)(2)(B) and 180.20(d)(3)(B).
22. To change "they may be dispensed at" to "at which they may be dispensed" in Section 180.20(g).
23. To replace "The" with "Ithe" at the outset of Sections 180.20(d)(2)(D) and (E).

OFFICE OF THE STATE FIRE MARSHAL
NOTICE OF ADOPTED AMENDMENTS

24. To add Sections 180.15 and 180.21.

13) Will these amendments replace an emergency amendment currently in effect?
No

14) Are there any amendments pending on this Part? No
Section Numbers Proposed Action Illinois Register Citation

15) Summary and Purpose of Amendments:

Storage of combustible and flammable liquids in outside aboveground tanks is being allowed to a greater extent. The situations in which such tanks are allowed and the safety requirements on such tanks are specified. Kerosene is being allowed to be stored aboveground inside buildings in containers and tanks, and aboveground outside buildings in tanks; safety requirements are imposed on all methods of kerosene storage. A dispensing tank connected by associated piping to a bulk tank is considered a bulk tank.

16) Information and questions regarding these adopted amendments shall be directed to:

John S. Moore, Director
Division of Petroleum and Chemical Safety
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield, IL 62703-4259
(217) 785-1020 or (217) 785-5878

17) The full text of the Adopted Amendments begins on the next page:

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 41: FIRE PROTECTION
CHAPTER I: OFFICE OF THE STATE FIRE MARSHAL

PART 180

STORAGE, TRANSPORTATION, SALE AND USE OF
GASOLINE AND VOLATILE OILS--GASOLINE-AND-VOLATILE-OILS-----GENERAL
RULES

Section

- 180.10 Definitions Classes-of-Flammable-Liquids-Defined
- 180.15 Incorporation of National Standards
- 180.20 Aboveground Storage - Dispensing Small-Storage-Limited
- 180.21 Dispensing Tank Connected by Associated Piping to a Bulk Tank
- 180.25 Home Rule Modification of Aboveground Storage -- Dispensing (Emergency Expired)
- 180.30 Gasoline Containers Must Be Red
- 180.40 Industrial and Commercial Use
- 180.50 Use Within Buildings Restricted
- 180.60 No Pouring Into Sewers
- 180.70 Storage in Public Buildings Restricted
- 180.80 Use in Starting Fires
- 180.90 Keep Fire Away
- 180.100 Heating and Lighting Appliances
- 180.150 Dry Cleaning Plants
- 180.200 Oil Burning Equipment

AUTHORITY: Implementing and authorized by Section 2 of "AN ACT to regulate the storage, transportation; sale and use of gasoline and volatile oils" (Ill. Rev. Stat. 1987, ch. 127 1/2, par. 154).

SOURCE: Gasoline and Volatile Oils - General Rules, filed July 10, 1958; amended July 23, 1965 and April 14, 1977; codified at 5 Ill. Reg. 10695; emergency amendment at 8 Ill. Reg. 24744, effective December 7, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 12719, effective August 12, 1985; emergency amendments at 13 Ill. Reg. 1875, effective January 27, 1989, for a maximum of 150 days; emergency amendments at 13 Ill. Reg. 1875, effective January 27, 1989, for a maximum of 150 days; emergency expired June 26, 1989; amended at 13 Ill. Reg. 14978, effective September 7, 1989.

Section 180.10 Definitions Classes-of-Flammable-Liquids-Defined

- a) For the purposes of the Rules and Regulations of the Office of the State Fire Marshal on the subject of Gasoline and Volatile Oils, flammable liquids are divided into three classes according to flash point as follows:
CLASS I - Liquids with a flash point at or below 25 degrees Fahrenheit (-4 degrees Centigrade) closed cup tester.
CLASS II - Liquids with a flash point above that for Class I and at or below 70 degrees Fahrenheit (-21 degrees Centigrade) closed cup

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

testers:

Class III - liquids with a flash point above that for Class II and at or below 200 degrees Fahrenheit (99-193 degrees Centigrade) - closed-cup tester:

- b) The flash point shall be as determined with the Elliott, Abel, Pensky, or the Tag-Closed-Cup Tester, but the Tag-Closed-Cup Tester (standardized by the National Bureau of Standards) shall be authoritative in case of dispute. All tests shall be made in accordance with the methods adopted by the American Society for Testing Materials.

c) Representative examples of the classes of flammable liquids are:

Class I	Class II	Class III
Ether	Alcohol	Kerosene
Carbon tetrachloride	Any alcohol	Any alcohol
Phide	Toluol	Turpentine
Gasoline	Ethyl acetate	Petrol
Naphtha	Methyl acetate	
Benzol	Methyl alcohol	
Acetone		
Celluloid		

a) "ASTM" - American Society for Testing and Materials.

b) "Bulk storage", for the purposes of Part 180, means the storage of flammable or combustible liquid in an aboveground tank that is not for dispensing purposes. If an aboveground tank is used for any bulk storage purposes, it is classified as a "bulk storage tank" for the remainder of the calendar year in which it was so used.

c) "Combustible liquid" means a liquid having a flash point at or above 100° F. Combustible liquids shall be subdivided as follows:

- Class I liquids shall include those having flash points at or above 100° F and below 140° F;
- Class II liquids shall include those having flash points at or above 140° F and below 200° F; and
- Class III liquids shall include those having flash points at or above 200° F.

d) "Container" means any vessel of 60 U.S. gal or less capacity used for transporting or storing liquids.

e) "Dispensing", for the purposes of Part 180, means the activity of transferring a flammable or combustible liquid from an aboveground storage tank to a vehicle, mobile equipment, engine or motor for use as fuel by them; "dispensing" also includes such transference into a receptacle.

f) "Facility" means any location or site within a single perimeter (including all contiguous land and structures, and other appurtenances and improvements) where there is storage of flammable or combustible liquids.

g) "Flammable liquid" means a liquid having a flash point below 100° F

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

and having a vapor pressure not exceeding 40 lbs per sq in. (absolute) at 100° F. Any flammable liquid shall be known as a Class I liquid; Class I liquids shall be subdivided as follows:

- Class IA shall include those having flash points below 73° F and having a boiling point below 100° F;
- Class IB shall include those having flash points below 73° F and having a boiling point at or above 100° F; and
- Class IC shall include those having flash points at or above 73° F and below 100° F.

h) "Flash point" means the minimum temperature at which a liquid gives off vapor in sufficient concentration to form an ignitable mixture with air near the surface of a liquid within the vessel, as specified by test procedure and apparatus as follows:

- The flash point of a liquid having a viscosity less than 45 Saybolt Universal Seconds (SUS) at 100° F and a flash point below 200° F shall be determined in accordance with ASTM D 56-87, (Standard Method of Test for Flash Point by the Tag Closed Tester);

- The flash point of a liquid having a viscosity of 45 SUS or more at 100° F or a flash point of 200° F or higher shall be determined in accordance with ASTM D 93-85 (Standard Method of Test for Flash Point by the Pensky-Martens Closed Tester) (1985);
- As an alternate, ASTM D 3828-87E1 (Test Method for Flashpoint by Setflash Closed Tester) (1987) may be used for testing aviation turbine fuels within the scope of this procedure;

- As an alternate, ASTM D 3278-87E1 (Test Method for Flash Point of Liquids by Setflash Closed-Cup Apparatus) (1987) may be used for paints, enamels, lacquers, varnishes, and related products and their components having flash points between 32° F and 230° F, and having a viscosity lower than 150 stokes at 77° F; or

- As an alternate, ASTM D 3828-87E1 (Test Method for Flashpoint by Setflash Closed Tester) (1987) may be used for materials other than those for which specific Setflash Methods exist (cf., ASTM D3278-87E1 (Test Method for Flash Point of liquids by Setflash Closed-Cup Apparatus) (1987) for paints, enamels, lacquers, varnishes, related products and their components).

- "Liquid" means material which has a fluidity greater than that of 300 penetration asphalt when tested in accordance with ASTM D-586 (Test for Prevention for Bituminous Materials) (1986). When not otherwise identified, the term "liquid" shall mean both flammable and combustible liquids.

- "NFPA" - National Fire Protection Association.

(Source: Section repealed, new Section adopted at 13 Ill. Reg. 14978, effective September 7, 1989)

Section 180.15 Incorporation of National Standards

Where standards are incorporated by reference in Part 180, the incorporated

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

material does not include any later editions or amendments.

(Source: Added at 13 Ill. Reg. 14978, effective September 7, 1989)

Section 180.20 Aboveground Storage - Dispensing Small-Storage-limited

a) Storage of Class I, II and or III liquids (except kerosene) shall be in accordance with 41 Ill. Adm. Code 160 and 41 Ill. Adm. Code 170 except aboveground storage for dispensing may occur at the following facilities under the following circumstances:

- 1) Agricultural storage, which is limited to farms, tree nurseries, fish farms, tree farms, sod farms or orchards;
- 2) Storage at commercial, industrial, governmental or manufacturing establishments for fueling vehicles used in connection with their business;
- 3) Storage at construction sites for refueling construction equipment; or

b) Dispensing at the facilities specified in subsection (a)(2), (3) or (4) shall only be in accordance with the following:

- 1) After an inspection of the premises and operations has been made and approval granted by the Office of the State Fire Marshal (approval shall be granted if curb pumps are not present and if pumps are not located in any portion of a public roadway);
- 2) The dispensing is done on premises not open to the public;
- 3) The tanks are safeguarded against collision, spillage or overflow to the satisfaction of the authorities having jurisdiction;
- 4) Each tank system is listed or approved for such aboveground use by the Office of the State Fire Marshal; in granting such approval, the Office shall consider the following elements: leaks, compatibility of the tank and line with the product contained in the tank, whether any equipment has been recalled by the manufacturer, whether wiring at the dispensing location is in a rigid metal conduit within a radius of 30 feet and is otherwise in compliance with the National Electric Code (NFPA 70) 1987 (no subsequent dates or editions) and whether the dispensing location has seal-offs at all connections;
- 5) A top-fill opening shall be provided and shall be equipped with a closure designed so that it may be locked;
- 6) A vent shall be provided to relieve such vacuum or pressure as will develop in normal operation; such vent shall have a minimum unobstructed opening of one and one-half inches in diameter and the vent shall be elevated to a height of at least four feet (unless directed in writing by the Office of the State Fire Marshal to a greater height, based on construction characteristics of the tank and fire safety considerations) or in which approval in writing for a lower height is granted by the Office of the State Fire Marshal, such approval to be based upon construction characteristics of the tank in question or unique

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

physical conditions prevent a vent of that height from being installed;

- 7) Tanks shall be equipped with a permanently connected pumping device listed by Underwriters Laboratories (UL) (as printed on page 4 of the Fire Protection Equipment Directory published by Underwriters Laboratories, January, 1988 (no subsequent dates or editions)) or FM Engineering (as printed on page 11 of the Factory Mutual System Approval Guide 1989 published by Factory Mutual Research Corporation, 1989 (no subsequent dates or editions)); the pump shall be equipped with a padlock to prevent tampering; an antisiphoning device shall be included in the pump discharge and siphons or internal pressure discharge devices are prohibited; gravity method of discharge is prohibited;
- 8) Tanks for the storage of flammable or combustible liquids shall be marked with the name of the product which they contain and "FLAMMABLE - KEEP FIRE AND FLAME AWAY", both in letters at least four inches high and in contrasting color from the tank on which they are marked;
- 9) A maximum of two aboveground tanks per facility of up to 2,500 gallons each shall be allowed for storage of flammable or combustible liquids, provided such liquid is stored outside buildings in a tank(s) constructed throughout of steel and made vapor tight (as determined by such tests as a pressure test and volumetric test); tanks shall be designed and constructed according to standards specified in 41 Ill. Adm. Code 160.151, 160.70-160, 160.80-240; and
- 10) Tanks as provided in this subsection shall be kept outside and at least 30 feet from any building, or combustible or flammable stored liquid, liquid petroleum and shall be so located or such additional distance to buildings shall be provided to insure that no vehicle, equipment or vessel being filled directly from any such tank shall be closer than 30 feet to any building, combustible or flammable stored liquid, liquid petroleum (LP) gas tank or property lines, except that a tank protected within a two-hour fire resistant enclosure (the time, in minutes or hours, that materials or assemblies have withstood a fire exposure as established in accordance with the test procedures of NFPA 251, Standard Methods of Fire Tests of Building Construction and Materials, 1985 (no subsequent dates or editions)) may be located adjacent to a structure after a request in writing to construct such an enclosure has been submitted to the Office of the State Fire Marshal, and the Office has issued an acknowledgement in writing.

11) Agricultural (Farm)-Storage-of-Flammable-Liquids

A) Underground-storage-with---approved---dispensing---pump---is recommended-on-farms-the installation-to-conform-to-rules governing---service---stations---the---farm---means conventional-farms-as-well-as-tree-nurseries-fish-farms tree-farms-sod-farms-and-orchards

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

- B) A fill opening shall be provided and shall be equipped with a closure designed so that it may be locked.
- C) A vent shall be provided to relieve such vacuum or pressure as will develop in normal operation. Such vent shall have a minimum unobstructed opening of 1 1/2 inches in diameter.
- B) Containers as provided in this sub-section shall be kept outside and at least 50 feet from any building or combustible stored materials and must be so located or such additional distance to buildings must be provided so as will insure that no vehicle, equipment or vessel being filled directly from such containers shall be closer than 50 feet to any building, combustible stored materials, hp gas tank or property lines. Combustible materials have the meaning as defined in Fire Prevention Handbook (15th ed.) published by NFPA.
- 2) It is permissible to have agricultural (farm) storage of flammable and combustible liquids in aboveground containers of 60 to 2500 gallons total aggregate capacity provided such liquid is stored outside buildings in containers of single compartment design and constructed throughout of steel and made vapor-tight. Metal thickness shall be as follows:

MATERIAL THICKNESS

GALLONS	
---0/300	14-Gauge
---901/1000	12-Gauge
1001/2500	7-Gauge

- 3) Containers constructed and located as provided in this subsection shall be designed with all openings in the top of the tank and shall be mounted and equipped as follows:

A) Stationary Containers

- 1) Stationary containers shall be mounted on timbers or blocks approximately six inches in height so as to protect the bottom of the container from corrosion from contact with the ground and placed to be in a position to avoid movement from vibration, filling or dispensing operations or containers may at the option of the user be equipped with attached metal legs resting on shoes or runners to be at least one tank diameter apart which in turn rests upon the ground designed so that the container is supported in a stable position as stated above and so that the entire container and its supports may be moved as a unit.
- 2) Containers shall be equipped with a permanent attached pumping device listed by Underwriters Laboratories or FM Engineering. The pump shall be equipped with a padlock to prevent tampering. An effective antiphoning device shall be included in

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

- the pump discharge. Siphons or internal pressure discharge devices are prohibited.
- B) Containers Elevated for Gravity Discharge: Containers may be designed with an opening in the bottom or the end of the tank for gravity dispensing of flammable liquids and shall be mounted and equipped as follows:
- 1) Supports to elevate the tank for gravity discharge shall provide stability.
- 2) Bottom opening for gravity discharge shall be equipped with an internal safety valve which will close automatically in the event of fire through the operation of a heat-releasing device and which may also be operated manually.
- 4) Marking of Containers: Containers for the storage of flammable liquids for agricultural (farm) use shall be marked with the name of the product which they contain and "FLAMMABLE - KEEP FIRE AWAY". Containers of 60/2500 gallons capacity shall bear the additional marking "KEEP 50 FEET FROM BUILDINGS".
- 5) For personal or private use, 12 gallons of kerosene may be stored aboveground in blue approved containers which meet the requirements of NFPA 30 (1991) 4-2 and 60 gallons may be stored for the retail trade within a building providing storage is in a tank of at least 14 gauge steel or aluminum. The tank shall set in a metal pan extending at least 8 inches beyond outside of tank at sides and rear and 18 inches in front.
- C) Dispensing at facilities specified in subsection (a)(1) shall only be in accordance with the following:
- 1) A top-fill opening shall be provided and shall be equipped with a closure designed so that it may be locked.
- 2) A vent shall be provided to relieve such vacuum or pressure as will develop in normal operation; such vent shall have a minimum unobstructed opening of one and one-half inches in diameter.
- 3) Tanks shall be equipped with a permanently connected pumping device; the pump shall be equipped with a padlock to prevent tampering; an effective antiphoning device shall be included in the pump discharge, and siphons or internal pressure discharge devices are prohibited.
- 4) Tanks for the storage of flammable or combustible liquids shall be marked with the name of the product which they contain and "FLAMMABLE - KEEP FIRE AND FLAME AWAY", both in letters at least four inches high and in contrasting color from the tank on which they are marked; and
- 5) A maximum of two aboveground tanks per facility of up to 2,500 gallons each shall be allowed for storage of flammable or combustible liquids, provided any such liquid is stored outside buildings in a tank constructed throughout of steel and made vapor tight.
- d) Storage of kerosene inside buildings.
- 1) At a facility, for personal or private use, a maximum of 12

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

gallons of kerosene inside buildings may be stored aboveground in containers which meet the requirements of NFPA 30 (Flammable and Combustible Liquids Code) (1987).

- 2) Sixty gallons or less may be stored in an aboveground tank at a facility for retail trade within a building, providing storage is in compliance with the following:

A) Storage is in a tank of at least 14 gauge steel or aluminum; tank shall sit in a metal pan extending at least eight inches beyond the sides and rear of the tank and 18 inches beyond the front;

C) The tank may be located only on the first floor in an area supplied with natural light and ventilation; and
D) The room or area where the tank is located shall be separated from any heat producing appliance, such as a hot water heater, furnace or space heater (radiators and hot air ducts are not considered heating appliances for this purpose) by one 1 hour fire resistance as defined in ASTM (American Society for the Testing of Materials) E-119 (Fire Endurance Test) (1989) (1979); and

E) The dispensing nozzle or spigot of the tank shall be spring loaded so as to return to the off position when pressure is stopped (sometimes called a deadman-type of spigot) and so that pressure is constantly required to cause the release of the kerosene; and

F) The tank shall be blue in color and marked with the word "Kerosene" in letters at least two and one-half inches high in contrasting color.

- 3) Sixty gallons or less may be stored in a metal drum at a facility for retail trade within a building, providing storage is in compliance with the following:

A) The metal drum shall be stored in a storage cabinet that meets the requirements of 49 CFR Chapter I (1987);

B) The storage cabinet shall sit in a metal pan extending at least eight inches beyond the sides and rear of the storage cabinet;

C) The room or area where the storage cabinet is located shall be separated from any heat producing appliance, such as a hot water heater, furnace or space heater (radiators and hot air ducts are not considered heating appliances for this purpose) by one hour fire resistance as defined in ASTM E-119 (Fire Endurance Test) (1988); and

D) The design and construction of storage cabinets, except as otherwise provided in this subsection, shall be in compliance with 4-3 of NFPA 30 (Flammable and Combustible Liquids Code) (1987).

- 4) Factory-sealed containers of 1-K grade kerosene may be stored at a facility for retail trade within a building in compliance with ASTM F 976-86 (Portable Kerosene Containers for Consumer Use) (1986) and 4-5.5 of NFPA 30 (Flammable and Combustible Liquids

ILLINOIS REGISTER

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

Code) (1987).

- e) Storage of kerosene outside buildings shall be in accordance with 41 Ill. Adm. Code 160 and 170, 41-iii-Adm-Code-160-and-41-iii-Adm-Code-170 except a maximum of three-hundred 550 (300) gallons of kerosene (total-aggregate) may be kept aboveground at a facility outside-of-buildings (including at service stations) in a tank container or tanks containers of 550 300 gallons or less capacity under the following conditions:

1) When located at a service station, the dispensing tanks shall be in location at least eight 8 feet away from driveways and other areas used by vehicles for customers or to deliver products;
2) The dispensing nozzle or spigot of the tank shall be spring loaded so as to return to the off position when pressure is stopped and so that pressure is constantly required to cause the release of the product kerosene;

3) The tanks shall be on a skid tank or on a noncombustible base and the area under the tanks and for twenty-four (24) inches in all directions shall be either paved or covered with gravel, and kept free of vegetation and combustible material;

4) The tanks shall be blue in color and marked labeled with the word "Kerosene" in letters at least two and one-half three (3) inches high in height in a contrasting color;

5) The dispensing nozzle or spigot of the tank shall be locked when the kerosene product is not being dispensed; and
6) The kerosene product may only be dispensed by the owner, or an employee-of-the-owner lessor or lessee of the facility, or their employees of the facility. No self-service-of-kerosene-from aboveground-tanks shall be allowed; no self-service of kerosene from an aboveground tank shall be allowed.

7) A sign with the following caution shall be posted at the point-of sale-and-the-dispensing-point--This sign shall be of all-weather material-and-not-less-than-12"x-18"-in-size-with-14-letters-on-a contrasting-background--These signs shall read--as follows--"Caution-Portable-Unvented-Kerosene-Heaters-Must-Only Be-Fueled-With-Grade-1-K-Kerosene"

8) Where other grades of kerosene than 1-K are offered for sale--the grade--of--kerosene--must--be-identified-at-the-points-of-sale-or dispensing

e) For personal or private use--not-to-exceed-two-(2)-six-gallon containers-of-Class-1-K-or-1-K-liquids-may-be-kept-on-hand-if-stored in-a-container-which-meets-National-Fire-Protection-Association-#30 (1981)-Section-4-2-remote-from-flame-or-open-fire--Such-storage-must not-be-in-any-cellar-basement-or-pit-and-should-be-in-a-room-with direct-ventilation--to-the-outside-and-preferably-in-an-out-building

f) Kerosene Labeling.

1) A sign with the following caution shall be posted at the point of sale and the dispensing point: "Caution Portable Unvented Kerosene Heaters Must Only Be Fueled With Grade 1-K Kerosene." This sign shall be of all-weather material and not less than 12"

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

x 18" in size with letters at least one inch high on a contrasting background; and

- 2) Where other grades of kerosene than 1-K are offered for sale, the grade of kerosene shall be identified at the point of sale or dispensing.

- 9) Any spill of Class I, II or III liquids in excess of 25 gallons at any facility at which they may be dispensed pursuant to Section 180.20, shall be reported to the Illinois Emergency Services and Disaster Agency within 24 hours of such spill.

(Source: Amended at 13 Ill. Reg. 14978, effective September 7, 1989)

Section 180.21 Dispensing Tank Connected by Associated Piping to a Bulk Tank

A tank which would otherwise be classified as a dispensing tank but is connected by associated piping to a bulk tank, is considered a bulk tank.

(Source: Added at 13 Ill. Reg. 14978, effective September 7, 1989)

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances

- 2) Code Citation: 41 Ill. Adm. Code 170

- 3) Section Numbers:

170.10
170.71
170.72
170.106
170.107
170.108

Adopted Action:

Amendment
New Section
New Section
New Section
New Section
New Section

- 4) Statutory Authority: Ill. Rev. Stat. 1987, and 1988 Supp.(Ch. 127 1/2, par. 154)

- 5) Effective Date of Amendments: September 11, 1989

- 6) Does this rulemaking contain an automatic repeal date? No

If so, please specify date: _____

- 7) Do these amendments contain incorporations by reference? Yes - per Section 6.02(a)

- 8) Date Filed in Agency's Principal Office: August 28, 1989

- 9) Notice of Proposal Published in Illinois Register:
February 10, 1989, 13 Ill. Reg. 1756
(issue date)

- 10) Has JCAR issued a Statement of Objections to these rules? If answer is "yes", please complete the following: Yes

- A) Statement of Objection: August 18, 1989, 13 Ill. Reg. 13305
(issue date)

- B) Agency Response: September 22, 1989, 13 Ill. Reg. 15126
(issue date)

- C) Date Agency Response Submitted for Approval to JCAR: August 24, 1989

11) Differences between proposal and final version:

1. To delete "other" in the definition of "person" in Section 170.10(m).

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

2. To add "(Section 170.670)" at the end of Section 170.10(v)(1)(3)(formerly (t)(10)).
3. To add "(see 53 FR 37110, September 23, 1988)" after "tank" in Section 170.10(v)(2)(E).
4. To add "in accordance with API Recommended Practice 1632, "Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems," Second Edition, December 1987; NACE Standard Recommended Practice RP0169-83, "Control of External Corrosion on Underground or Submerged Metallic Piping Systems," revised January, 1983; and NACE Recommended Practice RP0285-85, "Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems, approved March 1985, (see Section 170.140)" in Section 170.10(v)(3)(A).
5. To add "(see Section 170.400(a))" after "protected" in Section 170.10(v)(3)(B).
6. To add "in accordance with API Recommended Practice 1632, "Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems," Second Edition, December 1987; NACE Standard Recommended Practice RP0169-83, "Control of External Corrosion on Underground or Submerged Metallic Piping Systems," revised January, 1983; and NACE Recommended Practice RP0285-85, "Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems, approved March 1985, (see Section 170.140)" in Section 170.10(v)(3)(A).
7. To delete Section 170.10(v)(3)(D).
8. To eliminate Sections 170.73 and 170.75 from this rulemaking in its Notice of Adopted Amendments.
9. To change "in a format" to "on a form" in section 170.107.
10. To cite Public Acts 85-1324 and 85-1325 in its Notice of Adopted Amendments.
11. To delete Sections 170.73 and 170.75 from this rulemaking.
12. To delete all references to "emergency" amendments in its rulemaking at the time it adopts this rulemaking.
13. Throughout the amendments, to change "an UST to "a UST".
14. In Section 170.71(d) and (e), to use "obtain access to" rather than "access".

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

15. In Section 170.106(c), line 1 and 3, to delete the "s" in "terms".
 16. To add "amended March 6, 1963 and April 14, 1977" in its Source note.
 17. To add "emergency amendment at 10 Ill. Reg. 345, effective January 1, 1986, for a maximum of 150 days" in its Source note.
 18. To change "41 Ill. Reg. 1886" to "13 Ill. Reg. 1886" and add "amended at 13 Ill. Reg. 5669, effective April 21, 1989;" and "amended at 13 Ill. Reg. 7744, effective May 9, 1989;" and "amended at 13 Ill. Reg. 8115, effective May 23, 1989;" in the Source note.
 19. To add subsections (b)(c)(d) and (f) to 170.71.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these amendments replace an emergency amendment currently in effect? No
- 14) Are there any amendments pending on this Part? No
- | Section Numbers | Proposed Action | Illinois Register Citation |
|--|-----------------|----------------------------|
| 15) Summary and Purpose of Amendments: | | |
- Owners of registered underground petroleum storage tanks are required to pay an annual fee for 1988; this adopted amendment states when, by what method and to whom such payments are to be made. P.A. 85-861 requires a registration fee for underground storage tanks required to be registered prior to September 24, 1987 but which were not; this adopted amendment states by what method and to whom such payments are to be made. P.A. 85-861 requires installers, repairers, replacers or removers of underground storage tanks to register, pay an annual fee and pay a permit fee to perform such activities; the Act also requires testers of underground storage tanks to pay an annual registration fee; this adopted amendment states when and to whom such payments are to be made, and requires the submission of test results. For safety reasons, air pressure testing of underground storage tanks after they have contained product is prohibited.

- 16) Information and questions regarding these adopted amendments shall be directed to:

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENTS

John S. Moore, Director
Division of Petroleum and Chemical Safety
Office of the State Fire Marshal
1035 Stevenson Drive
Springfield, Illinois 62703-4259
Telephone: (217) 785-1020 or (217) 785-5878

17) The full text of the Adopted Amendments begins on the next page:

STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 41: FIRE PROTECTION
CHAPTER I: STATE FIRE MARSHAL

PART 170

STORAGE, TRANSPORTATION, SALE AND USE OF
PETROLEUM AND OTHER
REGULATED SUBSTANCES

SUBPART A: MISCELLANEOUS

Section
170.10
170.11
170.15
170.20
170.30
170.40
170.41
170.50
170.60
170.65
170.70
170.71
170.72
170.73
170.75
170.76
170.80
170.90
170.91
170.100
170.105
170.106
170.107
170.108
170.110
170.115
170.120
170.130
170.140
170.145
170.150
170.160
170.170
170.180
170.190
170.200

Definitions
Incorporation of National Standards
Bulk Sales Prohibited
Storage Underground and Limited
Setting of Tanks (Repealed)
Clearance Required for Underground Tanks
Location
Material and Construction of Tanks
Venting of Tanks
Underground Tank Installations
Fill Pipes
Registration of Underground Storage Tanks and Payment of Annual Fee
Late Registration Fee
Access to the Underground Storage Tank Fund (Emergency Expired)
Abandonment of Underground Storage Tanks (Renumbered)
Leaking Underground Tanks
Unloading Operations
Pumps
Labeling of Containers and Pumps
Piping
Approval of Plans
Installer, Repairer, or Remover of Underground Storage Tanks
Tester of Underground Storage Tanks and Cathodic Protection
Pressure Testing
Building
Safe Heat Required
No Flammable or Combustible Liquids Within Building -- Exception
Greasing Pits
Wash and Greasing Rooms
Fire Extinguishers
Self-Service - No Self-Service Without Permit; Procedures and Regulations
Care and Attendance
Fire Extinguishers (Repealed)
Sale of Fireworks
Approval of Plans (Repealed)
Defective Equipment

STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

170.210 Deliveries from Portable Tanks Restricted
 170.310 Unattended Self-Service Other Than Fleet Operations

SUBPART B: UNDERGROUND STORAGE TANKS--TECHNICAL REQUIREMENTS

170.400 Definitions
 170.410 Incorporations by Reference
 170.420 Design, Construction, Installation and Notification of New UST Systems
 170.430 Upgrading of Existing UST Systems
 170.440 Notification Requirements
 170.450 Spill and Overfill Control
 170.460 Operation and Maintenance of Corrosion Protection
 170.470 Compatibility
 170.480 Repairs Allowed
 170.490 Reporting and Recordkeeping
 170.500 General Release Detection Requirements for ALL UST Systems
 170.510 Release Detection Requirements for Petroleum UST Systems
 170.520 Release Detection Requirements for Hazardous Substance UST Systems
 170.530 Methods of Release Detection for Tanks
 170.540 Methods of Release Detection for Piping
 170.550 Release Detection Recordkeeping
 170.560 Reporting of Suspected Releases
 170.570 Investigation Due to Off-Site Impacts
 170.580 Release Investigation and Confirmation Steps
 170.590 Reporting and Cleanup of Spills and Overfills
 170.600 Initial Response for UST Systems Containing Petroleum or Hazardous Substances
 170.610 Initial Abatement Measures and Site Check
 170.620 Temporary Closure of Out-of-Service UST Systems
 170.630 Change-in-Service of UST Systems
 170.640 Assessing the Site at Removal or Change-in-Service of UST Systems
 170.650 Applicability to Previously Removed UST Systems
 170.660 Removal or Change-in-Service Records
 170.670 Abandonment of Underground Storage Tanks

SUBPART C: UNDERGROUND STORAGE TANKS--FINANCIAL RESPONSIBILITY REQUIREMENTS

170.700 Incorporation by Reference

TABLE A SCHEDULE FOR PHASE-IN OF RELEASE DETECTION

TABLE B MANUAL TANK GAUGING: WEEKLY AND MONTHLY STANDARDS

AUTHORITY: Implementing and authorized by Section 2 of "AN ACT to regulate the storage, transportation, sale and use of gasoline and volatile oils" (Ill. Rev. Stat. 1987, ch. 127 1/2, par. 154).

STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

SOURCE: Rules and Regulations Relating to Service Stations filed July 10, 1958; amended March 6, 1963 and April 14, 1977; codified at 5 Ill. Reg. 10692; emergency amendment at 7 Ill. Reg. 1477, effective January 26, 1983, for a maximum of 150 days; emergency amendment at 8 Ill. Reg. 10058, effective June 29, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 9514, effective October 1, 1985; emergency amendment at 10 Ill. Reg. 345, effective January 1, 1986, for a maximum of 150 days; emergency amendment at 10 Ill. Reg. 12324, effective July 2, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 19976, effective January 5, 1987; amended at 12 Ill. Reg. 8023, effective April 26, 1988; emergency amendments at 13 Ill. Reg. 1886, effective January 27, 1989, for a maximum of 150 days; emergency expired June 26, 1989; amended at 13 Ill. Reg. 5669, effective April 21, 1989; amended at 13 Ill. Reg. 7744, effective May 9, 1989; amended at 13 Ill. Reg. 8515, effective May 23, 1989; amended at 13 Ill. Reg. 14992, effective September 11, 1989.

Section 170.10 Definitions

- a) "ANSI" - American National Standards Institute.
- b) Other-Definitions
- c) "ASTM" - American Society for the Testing of and Materials.
- d) Class I liquids - See Flammable Liquids.
- e) Classes II and III liquids - See Combustible Liquids.
- f) "EPR" - Code of Federal Regulations-
- g) "Combustible Liquids" are defined in NFPA 30 (1987) Flammable and Combustible Liquids Code (1987), known as Class II and III liquids. They are further subdivided into Class II, IIIa and IIIb liquids in NFPA 30.
- h) "Fire extinguisher ratings". Fire extinguisher ratings shall be determined by applying UL 711 (Fire Extinguishers, Rating and Testing of) Underwriters Laboratories-standards-(1983) (1987) or those of the B-S-Coast-Guard-(1983).
- i) Flammable liquids are defined in NFPA 30 (1987) (Flammable and Combustible Liquids Code) (1987), and are divided into Class Ia, Ib and Ic liquids.
- j) "Hazardous substance" means any substance listed in 40 CFR 302.4, (1987) (but not including any substance regulated as a hazardous waste under 35 Ill. Adm. Code 721).
- k) "Heating oil" means petroleum that is No. 1, No. 2, No. 4-light, No. 4-heavy, No. 5-light, No. 5-heavy or No. 6 technical grades of fuel oil; other residual fuel oils (including Navy Special fuel oil and Bunker C); and other fuels when used as substitutes for one of these fuel oils. Heating oil is typically used in the operation of heating equipment boilers or furnaces.
- l) "Installer". Any person, corporation or other entity engaged in the installation of any "underground storage tank" or "UST", and who is registered as such with the Office of the State Fire Marshal.
- m) "NFPA" - National Fire Protection Association. The standard number will appear in context. The edition will be referenced in parentheses. Where no edition appears, the edition in effect will be

NOTICE OF ADOPTED AMENDMENT(S)

the edition appearing in the 1984 1988 edition of the National Fire Codes published by N.F.P.A.

- 1) "Owner" of a UST system means person who has legal or equitable title to a UST system which has or has had a regulated substance(s) contained in it.
- m) "Person". For the purpose of paying any annual registration fee by any "installer", "remover", "repairer", or "tester", the term "person" refers only to corporations, partnerships or business entities.
- n) "Person" means an individual, trust, firm, partnership, joint stock company, corporation, Federal agency, state, municipality, commission, unit of local government or political subdivision of the State or any interstate body. "Person" also includes a consortium, a joint venture, a commercial entity or the United States Government.
- o) "Petroleum" [including crude oil or any fraction of crude oil that is liquid at standard conditions of temperature and pressure (60° F and 14.7 pounds per square inch absolute)], includes but is not limited to petroleum-based substances comprised of a complex blend of hydrocarbons derived from crude oil through processes of separation, conversion, upgrading or finishing, such as motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants and petroleum solvents.
- p) "Regulated substance" means any petroleum product or hazardous substance as defined in this Section.
- q) "Remover". Any person, corporation or other entity engaged in the removal of any "underground storage tank" or "UST".
- r) "Repairer". Any person, corporation or other entity engaged in repairing any "underground storage tank" or "UST".
- s) A "service station" is means any place of business where gasoline, fuel oil or any other volatile fuels for motor vehicles or internal combustion engines are sold or offered for retail sale, at-retail and/or dispensed into the fuel tanks of such motor vehicles, or into approved containers as defined in Section 170.150, except hobby shops and small engine repair facilities.
 - 1) This definition shall include also the private storage and dispensing of such products for the same purposes as those served by a service station, whether the storage is maintained for the use or benefit of the owner, lessee, agents or employees of either, or of any others.
 - 2) The requirements covering service stations shall also govern underground storage maintained at general storage plants and places other than service stations, so far as applicable.
- t) "Tester". Any person engaged in the testing of any "underground storage tank" or "UST" for the purpose of determining either whether a "underground storage tank" or "UST" is leaking, or whether the cathodic protection system is functioning properly. Any such tester is required to be registered with the Office of the State Fire Marshal.
- u) "U-L." Underwriters Laboratories, Inc.
- v) "Underground storage tank" or "UST".
 - 1) "Underground storage tank" or "UST" means any one or combination

NOTICE OF ADOPTED AMENDMENT(S)

of tanks (including underground pipes and cathodic protection connected thereto) that is used to contain an accumulation of regulated substances, and the volume of which (including the volume of underground pipes connected thereto) is 10 percent or more beneath the surface of the ground. A tank containing less than four percent petroleum of the total volume of its contents and no hazardous substance is not an underground storage tank or UST. A tank system classified as a UST may not be re-classified as being a non-UST, unless there has been a change-in-service as provided in Section 170.630. A non-UST system tank, which is used to store a non-regulated substance, may not be converted to a UST system tank, unless the tank has been re-certified by the manufacturer. A UST system does include an emergency power generator tank that stores any classification of fuel for use exclusively, alternately or concurrently by an emergency power generator, except as otherwise excluded in subsections (1)(K) and (2)(C). The term "underground storage tank" or "UST" shall not include any pipes connected to any tank which is described in subsections (1)(A) through (L). Underground storage tank or UST does not include any:

- A) Farm or residential tank of 1,100 gallons or less capacity used for storing motor fuel for noncommercial purposes;
- B) Tank of 1,100 gallons or less capacity used exclusively for storing heating oil for consumptive use on the premises where stored;
- C) Septic tank;
- D) Pipeline facility (including gathering lines):
 - i) Regulated under the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. 1671 et seq.).
 - ii) Regulated under the Hazardous Liquid Pipeline Safety Act of 1979 (49 U.S.C. 2001 et seq.), or
 - iii) Regulated under the Illinois Gas Pipeline Safety Act, (Ill. Rev. Stat. 1987, ch. 111 2/3, pars. 551 et seq.).
- E) Surface impoundment, pit, pond or lagoon;
- F) Storm-water or water waste collection system;
- G) Flow-through process tank;
- H) Liquid trap or associated gathering line directly related to oil or gas production and gathering operations;
- I) Storage tank situated in an underground area (such as basement, cellar, mineworking, drift, shaft or tunnel) if the storage tank is situated upon or above the surface of the floor and can be viewed from all sides;
- J) Tank abandoned by filling with inert material in compliance with regulations issued by the Office of the State Fire Marshal (Section 170.670);
- K) Tank with a capacity less than 110 gallons; or
- L) Hydraulic lift tank.

2) The following are deferred from being considered UST systems

STATE FIRE MARSHAL

NOTICE OF ADX "D AMENDMENT(S)

(whether single- or double-wall construction):

- A) Wastewater treatment tank system;
B) Any UST system containing radioactive material that is regulated under the Atomic Energy Act of 1954 (42 U.S.C. 2011);
C) Any UST system that is part of an emergency generation system at a nuclear power generation facility regulated by the United States Nuclear Regulatory Commission;
D) Airport hydrant fuel distribution system; and
E) Any UST system with a field-constructed tank (see PR 371100, September 23, 1988).

3) Although the systems specified in subsection (2) are exempt from the requirements in Sections 170.420 through 170.670, they are required to comply with the following:

- A) Be constructed to prevent releases due to corrosion or structural failure for the operational life of the UST system, in accordance with API Recommended Practice 1632, "Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems," Second Edition, December, 1987; NACE Standard Recommended Practice RP0169-83, "Control of External Corrosion on Underground Submerged Metallic Piping Systems," revised January, 1983; and NACE Recommended Practice RP0285-85, "Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems," approved March, 1985 (see Section 170.140);

- B) Be cathodically protected (See Section 170.400(a)) against corrosion, constructed of non-corrodible material, steel clad with a non-corrodible material, or designed in a manner to prevent the release or threatened release of any stored substance, in accordance with API Recommended Practice 1632, "Cathodic Protection of Underground Petroleum Storage Tanks and Piping Systems," Second Edition, December, 1987; NACE Standard Recommended Practice RP0169-83, "Control of External Corrosion on Underground Submerged Metallic Piping Systems," revised January, 1983; and NACE Recommended Practice RP0285-85, "Control of External Corrosion on Metallic Buried, Partially Buried, or Submerged Liquid Storage Systems," approved March, 1985 (see Section 170.140);

- C) Be constructed or lined with material that is compatible with the stored substance; and

w) "Upgrade" is the addition or retrofit of some portion of a UST system, such as cathodic protection, lining, or spill and overfill controls, to improve the ability of the UST to prevent the release of product.

(Source: Amended at 13 Ill. Reg. 14992, effective September 11, 1989)

STATE FIRE MARSHAL

NOTICE OF ADOPTED AMENDMENT(S)

Section 170.71 Registration of Underground Storage Tanks and Payment of Annual Fee

- a) The owner of any underground tank used to store regulated substances since January 1, 1974, shall register any such tank on forms prescribed by the Office of the State Fire Marshal, and the owner of any registered underground petroleum storage tank shall pay an annual fee of \$100 per tank on or before 90 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal";
- b) Any change in information on the forms as referred to in subsection (a) shall be submitted by the owner to the Office of the State Fire Marshal on an amended form, as prescribed by the Office, within 30 days, commencing from the date of such change;
- c) Any owner subsequent to the owner as specified in subsection (a) shall report any change in information in the time and manner as specified in subsection (b); a change in ownership is considered a change in information and is the responsibility of each subsequent owner to so report;
- d) The owner of an underground storage tank with a capacity greater than 1,100 gallons used exclusively to store heating oil for consumptive use on the premises where stored is not required to pay the annual fee; however, the owner may optionally pay the annual fee, and, thereby, cause the tank to be eligible to obtain access to the Underground Storage Tank Fund (established in Section 4 of "AN ACT to regulate the storage, transportation, sale and use of gasoline and volatile oils" (Ill. Rev. Stat. 1987, ch. 127 1/2, par. 156));
- e) Once the owner of an underground storage tank used to store heating oil as described in subsection (d) has caused the tank to be eligible to obtain access to the Underground Storage Tank Fund (established in Section 4 of "AN ACT to regulate the storage, transportation, sale and use of gasoline and volatile oils"), the tank is subject to each subsequent annual fee assessment; and
- f) An underground storage tank used to store heating oil as described in subsection (d) may not be subsequently used to store a different regulated substance.

(Source: Added at 13 Ill. Reg. 14992, effective September 11, 1989)

Section 170.72 Late Registration Fee

The owner of any underground storage tank which contained petroleum or petroleum products or hazardous substances required to be registered with the Office of the State Fire Marshal between January 1, 1974 and September 24, 1987, and who did not so register, shall do so and pay the Office of the State Fire Marshal a registration fee of \$500 per tank by check or money order made payable to "Office of the State Fire Marshal".

NOTICE OF ADOPTED AMENDMENT(S)

(Source: Added at 13 Ill. Reg. 14992, effective September 11, 1989)

Section 170.106 Installer, Repairer or Remover of Underground Storage Tanks

Any person who is an installer, repairer or remover of underground storage tanks is to register with, and

a) Pay an annual registration fee of \$100 to the Office of the State Fire Marshal on or before 30 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal".

b) Pay \$100 per site to the Office of the State Fire Marshal for a permit to install, repair, remove or abandon in place underground storage tanks.

1) A separate fee is required for each type of activity.

2) This fee is to be paid by check or money order made payable to "Office of the State Fire Marshal".

3) This fee is waived regarding all persons who repair an underground storage tank for themselves.

4) This permit expires six months from the date it is issued, except that the applicant may apply for and be entitled to one six-month extension of the permit during the time the permit is valid, with no additional fee required.

c) For purposes of this Section, the term "installer" includes "replacer" and "install" includes "replace", and the term "repairer" includes person who upgrades and "repair" includes "upgrade" (except, for purposes of this Section, "upgrades" and "upgrade" do not include the placement of monitoring wells).

(Source: Added at 13 Ill. Reg. 14992, effective September 11, 1989)

Section 170.107 Tester of Underground Storage Tanks and Cathodic Protection

Any person who is a tester of underground storage tanks or its piping or cathodic protection for another, except a lessor for his or her lessee, is to register with, and pay an annual registration fee of \$100 to the Office of the State Fire Marshal on or before 30 days from the date on the invoice requesting payment of the fee. The payment is to be by check or money order made payable to "Office of the State Fire Marshal". The results of such tests are to be reported to the Office of the State Fire Marshal within one-month from the date of each such test on a form prescribed by Office of the State Fire Marshal, except when a tank fails a test and is suspected of leaking, the result shall be submitted within three working days of the test.

(Source: Added at 13 Ill. Reg. 14992, effective September 11, 1989)

Section 170.108 Pressure Testing

NOTICE OF ADOPTED AMENDMENT(S)

After installation, pressure testing with air or other gases, of underground storage tanks or piping, containing or which have contained flammable or combustible liquids, is prohibited.

(Source: Added at 13 Ill. Reg. 14992, effective September 11, 1989)

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: ACCREDITING PERSONS IN THE PRACTICE OF MEDICAL RADIATION TECHNOLOGY
- 2) Code Citation: 32 Ill. Adm. Code 401
- 3) Section Numbers: 401.170
Adopted Action:
Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 4, 4.1, 4.2 and 9 of the Radiation Protection Act (Ill. Rev. Stat. 1987, ch. 111½, pars. 214, 214.1, 214.2 and 219).
- 5) Effective Date of Amendments: September 11, 1989
- 6) Does this rulemaking contain an automatic repeal date? No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: September 5, 1989
- 9) Notices of Proposal Published in Illinois Register:
January 27, 1989, 13 Ill. Reg. 982
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Difference(s) between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? The Department and the Joint Committee on Administrative Rules agreed that no changes to the proposed amendment were required at this time, therefore no changes have been made.
- 13) Will this amendment replace an emergency rule currently in effect? No
- 14) Are there any amendments pending on this Part? No
- 15) Summary and Purpose of Amendments: This amendment modifies Section 401.170(d) to clarify what constitutes a repeat violation by an employer. This amendment was proposed in response to a recommendation by the Radiologic Technology Accreditation Board.

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF ADOPTED AMENDMENTS

- 16) Information and questions regarding this adopted amendment shall be directed to:

Betsy Salus
Staff Attorney
Department of Nuclear Safety
1035 Outer Park Drive
Springfield, Illinois 62704
(217) 785-9880

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF ADOPTED AMENDMENTS

TITLE 32: ENERGY
CHAPTER II: DEPARTMENT OF NUCLEAR SAFETY
SUBCHAPTER b: RADIATION PROTECTION

PART 401

ACCREDITING PERSONS IN THE PRACTICE OF MEDICAL RADIATION TECHNOLOGY

Section	Policy & Scope
401.10	Definitions
401.20	Exemptions
401.30	Application for Accreditation
401.40	Categories of Accreditation
401.50	Examination Requirements
401.60	Acceptable Examinations
401.70	Approved Program
401.80	Practice Requirement - Initial Licensure (Repealed)
401.90	Initial Issuance of Accreditation
401.100	Duration of Accreditation
401.110	Suspension and Revocation of Accreditation
401.120	Fees
401.130	Requirements for Renewal of Accreditation
401.140	Reciprocity
401.150	Minimum Course of Education (Repealed)
401.160	Civil Penalties
401.170	

AUTHORITY: Implementing and authorized by Sections 4, 4.1, 4.2 and 9 of the Radiation Protection Act (Ill. Rev. Stat. 1987, ch. 111½, pars. 214, 214.1, 214.2 and 219).

SOURCE: Adopted at 7 Ill. Reg. 17318, effective January 1, 1984; Emergency amendment at 8 Ill. Reg. 17584, effective September 12, 1984, for a maximum of 150 days; amended at 9 Ill. Reg. 2499, effective February 13, 1985; amended at 10 Ill. Reg. 13259, effective July 28, 1986; amended at 10 Ill. Reg. 21086 effective January 1, 1987; amended at 11 Ill. Reg. 15623, effective September 11, 1987; Emergency amendment at 11 Ill. Reg. 19797, effective November 24, 1987, for a maximum of 150 days; amended at 12 Ill. Reg. 7603, effective April 18, 1988; amended at 12 Ill. Reg. 18164, effective January 1, 1989; amended at 13 Ill. Reg. 15005, effective September 11, 1989.

DEPARTMENT OF NUCLEAR SAFETY
NOTICE OF ADOPTED AMENDMENTS

Section 401.170 Civil Penalties

- a) The Department shall assess civil penalties, in accordance with subsections (c) and (d), against any person who performs, and against the operator of the radiation installation where a person performs, medical radiation procedures without valid accreditation, unless the person performing the medical radiation procedures is specifically exempt from the accreditation requirements as specified in Section 401.30.
- b) Prior to assessing civil penalties, the Department shall confirm the violation of the accreditation requirements by:
 - 1) Observation of the violation by a Departmental Inspector or nondepartmental inspector;
 - 2) Obtaining records, documents, or other physical evidence;
 - 3) Obtaining statements from either the employer, or the employee which confirm the existence of the violation; or
 - 4) Obtaining statements from third parties, e.g., patients or co-workers, that corroborate the allegation that a violation has occurred.
- c) Civil Penalties shall be assessed against persons who perform medical radiation procedures without accreditation (i.e., unaccredited technologists) as follows:
 - 1) First violation by an unaccredited technologist - \$250.
 - 2) Second violation by an unaccredited technologist - \$500.
 - 3) Third and subsequent violations by an unaccredited technologist - \$1,000.
- d) Civil Penalties shall be assessed against the operators of a radiation installation where a person performs medical radiation procedures without valid accreditation as follows:
 - 1) First violation by an operator - \$500.
 - 2) Second and subsequent violations by an operator, within a 12 month period - \$1,000.

DEPARTMENT OF NUCLEAR SAFETY

NOTICE OF ADOPTED AMENDMENTS

- e) The Department shall impose civil penalties by issuing a Preliminary Order and Notice of Opportunity for Hearing as provided in 32 Ill. Adm. Code 200.60. Each day the violation continues shall constitute a separate offense.
- f) Failure of an operator of a radiation installation to abate an accreditation violation or to pay a properly assessed civil penalty, shall cause the Department to issue an order prohibiting the use of any source of radiation at the installation until such time as the violation has been abated and all assessed civil penalties have been paid.

(Source: Amended at 13 Ill. Reg. 15005, effective September 11, 1989.)

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Underground Storage Tanks
- 2) Code Citation: 35 Ill. Adm. Code 731
- 3) Section Numbers:
731.190, 731.191, 731.192, 731.193, 731.194,
731.195, 731.196, 731.197, 731.198, 731.199,
731.202, 731.203, 731.204, 731.205, 731.206,
731.207, 731.208, 731.209, 731.210, 731.211
New Sections
- 4) Statutory Authority: Ill. Rev. Stat. 1988 Supp. ch. 111 1/2, pars. 1022.4 and 1027.
- 5) Effective Date of Amendments: September 12, 1989
- 6) Does this rulemaking contain an automatic repeal date? No.
- 7) Does this amendment contain incorporations by reference?
Yes. Several Sections incorporate rules and regulations of agencies of the United States.
- 8) Date filed in Board's Principal Office: Order adopted July 27, 1989
- 9) Notice of Proposal Published in Illinois Register:
May 5, 1989; 13 Ill. Reg. 6861
- 10) Has JCAR issued a Statement of Objections to these rules? No.

Section 22.4(d) of the Environmental Protection Act (Ill. Rev. Stat. 1988 Supp. ch. 111 1/2, par. 1022.4(d)) provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

- 11) Differences between proposal and final version:

Minor editorial differences. The proposal was published before the rules adopted in R88-27 appeared at 13 Ill. Reg. 9519, effective June 12, 1989. The repeal of the old UST program occurred in that Docket, and has been dropped from this Docket.

The proposal required the operator to prepare forms based on USEPA rules, and to keep the financial assurance documents available for inspection. The adopted rules require the use of preprinted forms when available from the Office of the State Fire Marshal, and require the financial assurance documents to be deposited with that Office.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- 12) Have all the changes agreed upon by the Board and JCAR been made as indicated in the agreement letter issued by JCAR?

Section 22.4(d) of the Environmental Protection Act provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

- 13) Will this amendment replace an emergency amendment currently in effect? No.

- 14) Are there any other amendments pending on this Part? No.

- 15) Summary and Purpose of Amendments:

A complete description is contained in the Board's Opinion of July 27, 1989 in R89-4, which Opinion is available from the address below. Section 22.4(d) of the Environmental Protection Act (Ill. Rev. Stat. 1988 Supp. ch. 111 1/2, par. 1022.4(d)) provides that Section 5 of the Administrative Procedure Act shall not apply. Because this rulemaking is not subject to Section 5 of the APA, it is not subject to first notice or to second notice review by JCAR.

This rulemaking adds to the Underground Storage Tank (UST) rules adopted by the Board at 13 Ill. Reg. 9519, effective June 12, 1989. This rulemaking adds financial assurance corresponding to rules adopted by USEPA at 53 Fed. Reg. 43370, October 26, 1988.

The UST rules govern underground storage tanks which contain hazardous substances or petroleum products. These rules mainly concern gasoline storage tanks. Hazardous waste storage tanks are regulated pursuant to 35 Ill. Adm. Code 724.290 and 725.290, et seq., which are not involved in this rulemaking.

111. Rev. Stat. 1987, ch. 127 1/2, par. 154(b) requires the Office of the Illinois State Fire Marshal to also adopt rules which are identical in substance with these same USEPA rules. The Fire Marshal has adopted rules in 41 Ill. Adm. Code 170, at 13 Ill. Reg. 5669, 7744, 8515 and 8875. Section 22.4(d) of the Environmental Protection Act allows the Board to adopt regulations which are identical in substance to any additional regulations adopted by the Fire Marshal. No such additional regulations are contained in this proposal at the present time.

These rules require owners or operators to obtain financial assurance for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of a petroleum UST. The amount of the required assurance is up to \$1 million per occurrence, with a \$2 million annual aggregate.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Financial assurance is required by various dates ranging from immediately through October, 26, 1990. The requirement can be met through one or more of the following mechanisms: Self-insurance, guarantee, insurance, bond, letter of credit or trust fund.

The adopted rules generally limit financial assurance mechanisms to those which are governed entirely by Illinois law. Financial institutions must be licensed or regulated by the appropriate Illinois agencies, and corporate guarantors must register with the Secretary of State. In addition, owners and operators are required to use forms promulgated by the Office of the State Fire Marshal, and are required to deposit the documents with that Office. (Sections 731.206 and 731.207.)

In Section 731.192 limits "substantial business relations" to ownership interests. Section 731.196 therefore limits corporate guarantors to situations in which one corporation owns an interest in another.

S.B. 64, adopted in the recent Session of the General Assembly, may create a State Fund which could be used in lieu of the federally-required mechanisms in this rulemaking. These rules were adopted before S.B. 64 was signed by the Governor, and do not reflect that legislation. Any regulatory action concerning S.B. 64 will occur in a future Docket.

- 16) Information and questions regarding this adopted amendment shall be directed to:

Morton F. Dorothy
Scientific/Technical Section
Illinois Pollution Control Board
104 W. University
Urbana, IL 61801
217/ 333-5575

The full text of the Adopted Amendment begins on the next page:

POLLUTION CONTROL BOARD

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

TITLE 35: ENVIRONMENTAL PROTECTION

SUBTITLE G: WASTE DISPOSAL

CHAPTER I: POLLUTION CONTROL BOARD

SUBCHAPTER d: UNDERGROUND INJECTION CONTROL

AND UNDERGROUND STORAGE TANK PROGRAMS

PART 731

UNDERGROUND STORAGE TANKS

SUBPART A: PROGRAM SCOPE AND INTERIM PROHIBITION

Section

731.101 Definitions and exemptions (Repealed)
 731.102 Interim prohibitions (Repealed)
 731.103 Notification Requirements (Repealed)
 731.110 Applicability
 731.111 Interim Prohibition for Deferred Systems
 731.112 Definitions
 731.113 Incorporations by Reference
 731.114 Implementing Agency

SUBPART B: UST SYSTEMS: DESIGN, CONSTRUCTION, INSTALLATION AND NOTIFICATION

Section

731.120 Performance Standards for New Systems
 731.121 Upgrading of Existing Systems
 731.122 Notification Requirements

SUBPART C: GENERAL OPERATING REQUIREMENTS

Section

731.130 Spill and Overfill Control
 731.131 Operation and Maintenance of Corrosion Protection
 731.132 Compatibility
 731.133 Repairs Allowed
 731.134 Reporting and Recordkeeping

SUBPART D: RELEASE DETECTION

Section

731.140 General Requirements for all Systems
 731.141 Petroleum Systems
 731.142 Hazardous Substance Systems
 731.143 Tanks
 731.144 Piping
 731.145 Recordkeeping

SUBPART E: RELEASE REPORTING, INVESTIGATION AND CONFIRMATION

Section

731.150 Reporting of Suspected Releases
 731.151 Investigation due to Off-site Impacts
 731.152 Release Investigation and Confirmation
 731.153 Reporting and Cleanup of Spills and Overfills

SUBPART F: RELEASE RESPONSE AND CORRECTIVE ACTION

Section

731.160 General
 731.161 Initial Response
 731.162 Initial Abatement Measures and Site Check
 731.163 Initial Site Characterization
 731.164 Free Product Removal
 731.165 Investigations for Soil and Groundwater Cleanup
 731.166 Corrective Action Plan
 731.167 Public Participation

SUBPART G: OUT-OF-SERVICE SYSTEMS AND CLOSURE

Section

731.170 Temporary Closure
 731.171 Permanent Closure and Changes-in-Service
 731.172 Assessing Site at Closure or Change-in-Service
 731.173 Previously Closed Systems
 731.174 Closure Records

SUBPART H: FINANCIAL RESPONSIBILITY

Section

731.190 Applicability
 731.191 Compliance Dates
 731.192 Definitions
 731.193 Amount and Scope of Required Financial Responsibility
 731.194 Allowable Mechanisms and Combinations
 731.195 Financial Test of Self-insurance
 731.196 Guarantee
 731.197 Insurance or Risk Retention Group Coverage
 731.198 Surety Bond
 731.199 Letter of Credit
 731.200 Trust Fund
 731.203 Standby Trust Fund
 731.204 Substitution of Mechanisms
 731.205 Cancellation or Nonrenewal by Provider
 731.206 Reporting
 731.207 Recordkeeping
 731.208 Drawing on Financial Assurance
 731.209 Release from Financial Assurance Requirement
 731.210 Bankruptcy or other Incapacity
 731.211 Replenishment
 731.900 Incorporation by reference (Repealed)
 731.901 Compliance Date (Repealed)

Appendix A Notification Form

AUTHORITY: Implementing Section 22.4(d) and authorized by Section 27 of the Environmental Protection Act (Ill. Rev. Stat. 1988 Supp. ch. 111 1/2, pars.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

1022.4(d) and 1027).

SOURCE: Adopted in R86-1 at 10 Ill. Reg. 14175, effective August 12, 1986; amended in R86-28 at 11 Ill. Reg. 6220, effective March 24, 1987; amended in R88-27 at 13 Ill. Reg. 9519, effective June 12, 1989; amended in R89-4 at 13 Ill. Reg. 15010 effective September 12, 1989.

SUBPART H: FINANCIAL RESPONSIBILITY

Section 731.190 Applicability

- a) This Subpart applies to owners and operators of all petroleum UST systems except as otherwise provided in this Section.
- b) Owners and operators of petroleum UST systems are subject to these requirements if they are in operation on or after the date for compliance established in Section 731.191.
- c) State and federal government entities whose debts and liabilities are the debts and liabilities of the State or the United States are exempt from the requirements of this Subpart.
- d) The requirements of this Subpart do not apply to owners and operators of any UST system described in Section 731.110(b) or (c).
- e) If the owner and operator of a petroleum underground storage tank are separate persons, only one person is required to demonstrate financial responsibility; however, both parties are liable in event of noncompliance. Regardless of which party complies, the date set for compliance at a particular facility is determined by the characteristics of the owner as set forth in Section 731.191.

(Source: Added at 13 Ill. Reg. 15010, effective Sept. 12, 1989)

Section 731.191 Compliance Dates

Owners of petroleum underground storage tanks are required to comply with the requirements of this Subpart by the following dates:

- a) All petroleum marketing firms owning 1,000 or more USTs and all other UST owners that report a tangible net worth of \$20 million or more to the U.S. Securities and Exchange Commission (SEC), Dun and Bradstreet, the Energy Information Administration or the Rural Electrification Administration: Immediately.
- b) All petroleum marketing firms owning 100 through 999 USTs: October 26, 1989.
- c) All petroleum marketing firms owning 13 through 99 USTs at more than

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

one facility: April 26, 1990.

- d) All petroleum UST owners not described in subsections (a), (b) or (c), including units of local government: October 26, 1990.

(Source: Added at 13 Ill. Reg. 15010 effective Sept. 12, 1989)

Section 731.192 Definitions

When used in this Subpart, the following terms have the meanings given below:

"Accidental release" means any sudden or nonsudden release of petroleum from an underground storage tank that results in a need for corrective action or compensation for bodily injury or property damage neither expected nor intended by the tank owner or operator.

"Bodily injury" means bodily injury, sickness or disease sustained by a person, including death resulting from any of these at any time. However, this term does not include those liabilities which, consistent with standard insurance industry practices, are excluded from coverage in liability insurance policies for bodily injury.

BOARD NOTE: Derived from 40 CFR 280.92, as adopted at 53 Fed. Reg. 43370, October 26, 1988, modified to insert the Insurance Services Office definition.

"Controlling interest" means direct ownership of at least 50 percent of the voting stock of another entity.

"Director of the Implementing Agency". See Section 731.114.

"Environmental damage" means the injurious presence in or upon land, the atmosphere or any watercourse or body of water of solid, liquid, gaseous or thermal contaminants, irritants or pollutants.

BOARD NOTE: This term is used in the definition of "pollution incident".

"Financial reporting year" means:

The latest consecutive twelve-month period for which any of the following reports used to support a financial test is prepared:

A 10-K report submitted to the Securities Exchange Commission;

An annual report of tangible net worth submitted to Dun and Bradstreet; or

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Annual reports submitted to the Energy Information Administration or the Rural Electrification Administration.

"Financial reporting year" may thus comprise a fiscal or a calendar year period.

"Legal defense cost" is any expense that an owner or operator or provider of financial assurance incurs in defending against claims or actions brought,

By USEPA or the State to require corrective action or to recover the costs of corrective action;

By or on behalf of a third party for bodily injury or property damage caused by an accidental release; or

By any person to enforce the terms of a financial assurance mechanism.

"Occurrence" means an accident, including continuous or repeated exposure to conditions, which results in a release from an underground storage tank.

BOARD NOTE: This definition is intended to assist in the understanding of these regulations and is not intended either to limit the meaning of "occurrence" in a way that conflicts with standard insurance usage or to prevent the use of other standard insurance terms in place of "occurrence".

"Owner or operator", when the owner or operator are separate persons, refers to the person that is obtaining or has obtained financial assurance.

"Petroleum marketing facilities" include all facilities at which petroleum is produced or refined and all facilities from which petroleum is sold or transferred to other petroleum marketers or to the public.

"Petroleum marketing firms" are all firms owning petroleum marketing facilities. Firms owning other types of facilities with USIs as well as petroleum marketing facilities are considered to be petroleum marketing firms.

"Pollution incident" means emission, discharge, release or escape of pollutants into or upon land, the atmosphere or any watercourse or body of water, provided that such emission, discharge, release or escape results in "environmental damage". The entirety of any such emission, discharge, release or escape shall be deemed to be one "pollution incident". "Pollutants" means any solid, liquid, gaseous

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

or thermal irritant or contaminant, including smoke, vapor, soot, fumes, acids, alkalis, chemicals and waste. "Waste" includes materials to be recycled, reconditioned or reclaimed. The term "pollution incident" includes an "accidental release" or an "occurrence".

BOARD NOTE: This definition is used in the definition of "property damage."

"Property damage" means

Physical injury to, destruction of or contamination of tangible property, including all resulting loss of use of that property; or

Loss of use of tangible property that is not physically injured, destroyed or contaminated, but has been evacuated, withdrawn from use or rendered inaccessible because of a "pollution incident".

This term does not include those liabilities which, consistent with standard insurance industry practices, are excluded from coverage in liability insurance policies for property damage. However, such exclusions for property damage do not include corrective action associated with releases from tanks which are covered by the policy.

BOARD NOTE: Derived from 40 CFR 280.92, as adopted at 53 Fed. Reg. 43370, October 26, 1988, modified to insert the Insurance Services Office definition.

"Provider of financial assurance" means an entity that provides financial assurance to an owner or operator of an underground storage tank through one of the mechanisms listed in Section 731.195 through 731.203, including a guarantor, insurer, risk retention group, surety or issuer of a letter of credit.

"Substantial business relationship" means that one business entity has an ownership interest in another.

"Tangible net worth" means the tangible assets that remain after deducting liabilities; such assets do not include intangibles such as goodwill and rights to patents or royalties. For purposes of this definition, "assets" means all existing and all probable future economic benefits obtained or controlled by a particular entity as a result of past transactions.

"Unit of local government" is as defined in the Illinois Constitution of 1970, Art. VII, Section 1.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

(Source: Added at 13 Ill. Reg. 15010, effective Sept. 12, 1989)

Section 731.193 Amount and Scope of Required Financial Responsibility

a) Owners or operators of petroleum underground storage tanks shall demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks in at least the following per-occurrence amounts:

1) For owners or operators of petroleum underground storage tanks that are located at petroleum marketing facilities, or that handle an average of more than 10,000 gallons of petroleum per month based on annual throughput for the previous calendar year: \$1 million.

2) For all other owners or operators of petroleum underground storage tanks: \$500,000.

b) Owners or operators of petroleum underground storage tanks shall demonstrate financial responsibility for taking corrective action and for compensating third parties for bodily injury and property damage caused by accidental releases arising from the operation of petroleum underground storage tanks in at least the following annual aggregate amounts:

1) For owners or operators of 1 to 100 petroleum underground storage tanks: \$1 million; and

2) For owners or operators of 101 or more petroleum underground storage tanks: \$2 million.

c) For the purposes of subsections (b) and (f) only, a "petroleum underground storage tank" means a single containment unit and does not mean combinations of single containment units.

d) Except as provided in subsection (e), if the owner or operator uses separate mechanisms or separate combinations of mechanisms to demonstrate financial responsibility for:

1) Taking corrective action;

2) Compensating third parties for bodily injury and property damage caused by sudden accidental releases; or

3) Compensating third parties for bodily injury and property damage caused by nonsudden accidental releases, the amount of assurance provided by each mechanism or combination of mechanisms must be

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

in the full amount specified in subsection (a) and (b).

e) If an owner or operator uses separate mechanisms or separate combinations of mechanisms to demonstrate financial responsibility for different petroleum underground storage tanks, the annual aggregate required must be based on the number of tanks covered by each such separate mechanism or combination of mechanisms.

f) Owners or operators shall review the amount of aggregate assurance provided whenever additional petroleum underground storage tanks are acquired or installed. If the number of petroleum underground storage tanks for which assurance must be provided exceeds 100, the owner or operator shall demonstrate financial responsibility in the amount of at least \$2 million of annual aggregate assurance by the first-occurring effective date anniversary of any one of the mechanisms combined (other than a financial test or guarantee) to provide assurance.

g) The amounts of assurance required under this Section exclude legal defense costs.

h) The required per-occurrence and annual aggregate coverage amounts do not in any way limit the liability of the owner or operator.

(Source: Added at 13 Ill. Reg. 15010, effective Sept. 12, 1989)

Section 731.194 Allowable Mechanisms and Combinations

a) Subject to the limitations of subsections (b) and (c), an owner or operator may use any one or combination of the mechanisms listed in Sections 731.195 through 731.203 to demonstrate financial responsibility under this Subpart for one or more underground storage tanks.

c) An owner or operator may use self-insurance in combination with a guarantee only if, for the purpose of meeting the requirements of the financial test under this Subpart, the financial statements of the owner or operator are not consolidated with the financial statements of the guarantor.

(Source: Added at 13 Ill. Reg. 15010, effective Sept. 12, 1989)

Section 731.195 Financial Test of Self-insurance

a) An owner or operator, or guarantor, may satisfy the requirements of Section 731.193 by passing a financial test as specified in this Section. To pass the financial test of self-insurance, the owner or operator, or guarantor, shall meet the criteria of subsection (b) or (c) based on year-end financial statements for the latest completed

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

fiscal year.b) Financial Test

- 1) The owner or operator, or guarantor, shall have a tangible net worth of at least ten times:

A) The total of the applicable aggregate amount required by Section 731.193, based on the number of underground storage tanks for which a financial test is used to demonstrate financial responsibility for UST systems to USEPA pursuant to 40 CFR 280, to the Fire Marshal pursuant to this Part or to implementing agencies of UST programs in other states authorized by USEPA pursuant to 40 CFR 281;

B) The sum of the corrective action cost estimates, the current closure and post-closure care cost estimates and amount of liability coverage for which a financial test is used to demonstrate financial responsibility for hazardous waste facilities to USEPA pursuant to 40 CFR 264 or 265, to the Agency pursuant to 35 Ill. Adm. Code 724 or 725 or to other state agencies authorized by USEPA to administer hazardous waste programs pursuant to 40 CFR 271.

C) The sum of current plugging and abandonment cost estimates for which a financial test is used to demonstrate financial responsibility for underground injection wells to USEPA pursuant to 40 CFR 144, to the Agency pursuant to 35 Ill. Adm. Code 704, to the Department of Mines and Minerals pursuant to 62 Ill. Adm. Code 240 or to other state agencies authorized to administer underground injection control programs pursuant to 40 CFR 145.

- 2) The owner or operator, or guarantor, shall have a tangible net worth of at least \$10 million.

3) The owner or operator, or guarantor, shall have a letter signed by the chief financial officer worded as specified in subsection (d).

4) The owner or operator, or guarantor, shall either:

A) File financial statements annually with the U.S. Securities and Exchange Commission, the Energy Information Administration or the Rural Electrification Administration;
or

B) Report annually the firm's tangible net worth to Dun and Bradstreet, and Dun and Bradstreet must have assigned the

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

firm a financial strength rating of 4A or 5A.

- 5) The firm's year-end financial statements, if independently audited, cannot include an adverse auditor's opinion, a disclaimer of opinion or a "going concern" qualification.

c) RCRA Financial Test

1) The owner or operator, or guarantor shall meet the financial test requirements of 35 Ill. Adm. Code 724.247(f)(1) substituting the appropriate amounts specified in Section 731.193(b)(1) and (b)(2) for the "amount of liability coverage" each time specified in the Section.

2) The fiscal year-end financial statements of the owner or operator, or guarantor, must be examined by an independent certified public accountant and be accompanied by the accountant's report of the examination.

3) The firm's year-end financial statements cannot include an adverse auditor's opinion, a disclaimer of opinion, or a "going concern" qualification.

4) The owner or operator, or guarantor, shall have a letter signed by the chief financial officer, worded as specified in subsection (d).

5) If the financial statements of the owner or operator, or guarantor, are not submitted annually to the U.S. Securities and Exchange Commission, the Energy Information Administration or the Rural Electrification Administration, the owner or operator, or guarantor, shall obtain a special report by an independent certified public accountant stating that:

A) The accountant has compared the data that the letter from the chief financial officer specifies as having been derived from the latest year-end financial statements of the owner or operator, or guarantor, with the amounts in such financial statements; and

B) In connection with that comparison, no matters came to the accountant's attention which caused him to believe that the specified data should be adjusted.

d) Forms.

- 1) The Board incorporates by reference 40 CFR 280.95(d) as adopted at 53 Fed. Reg. 43370, October 26, 1988. This Section incorporates no future editions or amendments.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

2) The Fire Marshal shall promulgate forms based on the forms in 40 CFR 280.95(d), with such changes as are necessary under Illinois law.

3) The owner or operator shall use such forms if available; otherwise, the owner or operator shall use the form in 40 CFR 280.95(d), except that instructions in brackets must be replaced with the relevant information and the brackets deleted.

4) To demonstrate that it meets the financial test under subsection (b) or (c), the chief financial officer of the owner or operator, or guarantor, shall sign, within 120 days of the close of each financial reporting year, as defined by the twelve-month period for which financial statements used to support the financial test are prepared, a letter worded as provided in subsection (d)(3).

e) If an owner or operator using the test to provide financial assurance finds that the owner or operator no longer meets the requirements of the financial test based on the year-end financial statements, the owner or operator shall obtain alternative coverage within 150 days of the end of the year for which financial statements have been prepared.

f) The Fire Marshal may require reports of financial condition at any time from the owner or operator, or guarantor. If the Fire Marshal finds, on the basis of such reports or other information, that the owner or operator, or guarantor, no longer meets the financial test requirements of subsection (b) or (c) and (d), the owner or operator shall obtain alternate coverage within 30 days after notification of such a finding.

g) If the owner or operator fails to obtain alternate assurance within 150 days of finding that the owner or operator no longer meets the requirements of the financial test based on the year-end financial statements, or within 30 days of notification by the Fire Marshal that the owner or operator no longer meets the requirements of the financial test, the owner or operator shall notify the Fire Marshal of such failure within 10 days.

(Source: Added at 13 Ill. Reg. 15010 effective Sept. 12, 1989)

Section 731.196 Guarantee

a) An owner or operator may satisfy the requirements of Section 731.193 by obtaining a guarantee that conforms to the requirements of this Section. The guarantor shall have an ownership interest in the owner or operator.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

b) Within 120 days after the close of each financial reporting year the guarantor shall demonstrate that it meets the financial test criteria of Section 731.195 based on year-end financial statements for the latest completed financial reporting year by completing the letter from the chief financial officer described in Section 731.195(d) and shall deliver the letter to the owner or operator. If the guarantor fails to meet the requirements of the financial test at the end of any financial reporting year, within 120 days of the end of that financial reporting year the guarantor shall send by certified mail, before cancellation or nonrenewal of the guarantee, notice to the owner or operator. If the Fire Marshal notifies the guarantor that the guarantor no longer meets the requirements of the financial test of Section 731.195(b) or (c) and (d), the guarantor shall notify the owner or operator within 10 days of receiving such notification from the Fire Marshal. In both cases, the guarantee will terminate no less than 120 days after the date the owner or operator receives the notification, as evidenced by the return receipt. The owner or operator shall obtain alternative coverage as specified in Section 731.210(c).

c) Forms.

1) The Board incorporates by reference 40 CFR 280.96(c) as adopted at 53 Fed. Reg. 43370, October 26, 1988. This Section incorporates no future editions or amendments.

2) The Fire Marshal shall promulgate forms based on the forms in 40 CFR 280.96(c), with such changes as are necessary under Illinois law.

3) The owner or operator shall use such forms if available; otherwise, the owner or operator shall use the form in 40 CFR 280.96(c), except that instructions in brackets must be replaced with the relevant information and the brackets deleted.

d) An owner or operator who uses a guarantee to satisfy the requirements of Section 731.193 shall establish a standby trust fund when the guarantee is obtained. Under the terms of the guarantee, all amounts paid by the guarantor under the guarantee will be deposited directly into the standby trust fund in accordance with instruction from the Fire Marshal under Section 731.208. This standby trust fund must meet the requirements specified in Section 731.203.

e) Additional requirements for guarantors.

1) The guarantor shall have a registered agent pursuant to Section 5.05 of the Business Corporation Act of 1983 (Ill. Rev. Stat. 1987, ch. 32, par. 5.05 or Section 105.05 of the General Not For

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Profit Corporation Act of 1986 (Ill. Rev. Stat. 1987, ch. 32, par. 105.05.)

- 2) The guarantor shall execute the guarantee in Illinois. The guarantee shall be accompanied by a letter signed by the guarantor which states that:

- A) The guarantee was signed in Illinois by an authorized agent of the guarantor;
 B) The guarantee is governed by Illinois law; and,
 C) The name and address of the guarantor's registered agent for service of process.

(Source: Added at 13 Ill. Reg. 15010 effective Sept. 12, 1989)

Section 731.197 Insurance or Risk Retention Group Coverage

- a) An owner or operator may satisfy the requirements of Section 731.193 by obtaining liability insurance that conforms to the requirements of this Section from a qualified insurer or risk retention group. Such insurance must be in the form of a separate insurance policy or an endorsement to an existing insurance policy.

b) Forms.

- 1) The Board incorporates by reference 40 CFR 280.97(b) as adopted at 53 Fed. Reg. 43370, October 26, 1988. This Section incorporates no future editions or amendments.

- 2) The Fire Marshal shall promulgate forms based on the forms in 40 CFR 280.97(b), with such changes as are necessary under Illinois law.

- 3) Each insurance policy must be amended by an endorsement, or evidenced by a certificate of insurance. The owner or operator shall use the forms specified in subsection (b)(2), if available; otherwise, the owner or operator shall use the forms in 40 CFR 280.97(b), except that instructions in brackets must be replaced with the relevant information and the brackets deleted.

- c) Each insurance policy must be issued by an insurer or a risk retention group which is licensed by the Illinois Department of Insurance.

(Source: Added at 13 Ill. Reg. 15010 effective Sept. 12, 1989)

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

Section 731.198 Surety Bond

- a) An owner or operator may satisfy the requirements of Section 731.193 by obtaining a surety bond that conforms to the requirements of this Section. The surety company issuing the bond shall be licensed by the Illinois Department of Insurance.

b) Forms.

- 1) The Board incorporates by reference 40 CFR 280.98(b) as adopted at 53 Fed. Reg. 43370, October 26, 1988. This Section incorporates no future editions or amendments.

- 2) The Fire Marshal shall promulgate forms based on the forms in 40 CFR 280.98(b), with such changes as are necessary under Illinois law.

- 3) The owner or operator shall use such forms if available; otherwise, the owner or operator shall use the form in 40 CFR 280.98(b), except that instructions in brackets must be replaced with the relevant information and the brackets deleted.

- c) Under the terms of the bond, the surety will become liable on the bond obligation when the owner or operator fails to perform as guaranteed by the bond. In all cases, the surety's liability is limited to the per-occurrence and annual aggregate penal sums.

- d) The owner or operator who uses a surety bond to satisfy the requirements of Section 731.193 must establish a standby trust fund when the surety bond is acquired. Under the terms of the bond, all amounts paid by the surety under the bond will be deposited directly into the standby trust fund in accordance with instructions from the Fire Marshal under Section 731.208. This standby trust fund must meet the requirements specified in Section 731.203.

(Source: Added at 13 Ill. Reg. 15010, effective Sept. 12, 1989)

Section 731.199 Letter of Credit

- a) An owner or operator may satisfy the requirements of Section 731.193 by obtaining an irrevocable standby letter of credit that conforms to the requirements of this Section. The issuing institution shall be an entity with authority to issue letters of credit and whose letter of credit operations are regulated by the Illinois Commissioner of Banks and Trust Companies.

b) Forms.

- 1) The Board incorporates by reference 40 CFR 280.99(b) as adopted

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

at 53 Fed. Reg. 43370, October 26, 1988. This Section incorporates no future editions or amendments.

2) The Fire Marshal shall promulgate forms based on the forms in 40 CFR 280.99(b), with such changes as are necessary under Illinois law.

3) The owner or operator shall use such forms if available; otherwise, the owner or operator shall use the form in 40 CFR 280.99(b), except that instructions in brackets must be replaced with the relevant information and the brackets deleted.

c) An owner or operator who uses a letter of credit to satisfy the requirements of Section 731.193 shall also establish a standby trust fund when the letter of credit is acquired. Under the terms of the letter of credit, all amounts paid pursuant to a draft by the Fire Marshal shall be deposited by the issuing institution directly into the standby trust fund in accordance with instructions from the Fire Marshal under Section 731.208. This standby trust fund must meet the requirements specified in Section 731.203.

d) The letter of credit must be irrevocable with a term specified by the issuing institution. The letter of credit must provide that credit be automatically renewed for the same term as the original term, unless, at least 120 days before the current expiration date, the issuing institution notifies the owner or operator by certified mail of its decision not to renew the letter of credit. Under the terms of the letter of credit, the 120 days will begin on the date when the owner or operator receives the notice, as evidenced by the return receipt.

(Source: Added at 13 Ill. Reg. 15010, effective Sept. 12, 1989)

Section 731.202 Trust Fund

a) An owner or operator may satisfy the requirements of Section 731.193 by establishing a trust fund that conforms to the requirements of this Section. The trustee shall be an entity which has authority to act as trustee and whose trust operations are regulated and examined by the Illinois Commissioner of Banks and Trust Companies, or who complies with the Corporate Fiduciary Act. (Ill. Rev. Stat. 1987, ch. 17, pars. 1551-1 et seq.)

b) The wording of the trust agreement must be identical to the wording specified in Section 731.203(b), and must be accompanied by a formal certification of acknowledgement as specified in Section 731.203(b). In addition, the owner or operator and trustee shall agree that Illinois law governs the trust.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

c) The trust fund, when established, must be funded for the full required amount of coverage, or funded for part of the required amount of coverage and used in combination with other mechanisms that provide the remaining required coverage.

d) If the value of the trust fund is greater than the required amount of coverage, the owner or operator may submit a written request to the Fire Marshal for release of the excess.

e) If other financial assurance as specified in this Subpart is substituted for all or part of the trust fund, the owner or operator may submit a written request to the Fire Marshal for release of the excess.

f) Within 60 days after receiving a request from the owner or operator for release of funds as specified in subsection (d) or (e), the Fire Marshal shall instruct the trustee to release to the owner or operator such funds as the Fire Marshal specifies in writing.

(Source: Added at 13 Ill. Reg. 15010 effective Sept. 12, 1989)

Section 731.203 Standby Trust Fund

a) An owner or operator using any one of the mechanisms authorized by Sections 731.196, 731.198 or 731.199 shall establish a standby trust fund when the mechanism is acquired. The trustee of the standby trust fund shall be an entity that has the authority to act as a trustee and whose trust operations are regulated and examined by the Illinois Commissioner of Banks and Trust Companies, or who complies with the Corporate Fiduciary Act. (Ill. Rev. Stat. 1987, ch. 17, pars. 1551-1 et seq.)

b) Forms.

1) The Board incorporates by reference 40 CFR 280.103(b) as adopted at 53 Fed. Reg. 43370, October 26, 1988. This Section incorporates no future editions or amendments.

2) The Fire Marshal shall promulgate forms based on the forms in 40 CFR 280.103(b), with such changes as are necessary under Illinois law.

3) The owner or operator shall use such forms if available; otherwise, the owner or operator shall use the form in 40 CFR 280.103(b), except that instructions in brackets must be replaced with the relevant information and the brackets deleted.

4) In addition, the owner or operator and trustee shall agree that Illinois law governs the trust.

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

- c) The Fire Marshal shall instruct the trustee to refund the balance of the standby trust fund to the provider of financial assurance if the Fire Marshal determines that no additional corrective action costs or third-party liability claims will occur as a result of a release covered by the financial assurance mechanism for which the standby trust fund was established.
- d) An owner or operator may establish one trust fund as the depository mechanism for all funds assured in compliance with this Subpart.

(Source: Added at 13 Ill. Reg. 1501Q effective Sept. 12, 1989)

Section 731.204 Substitution of Mechanisms

- a) An owner or operator may substitute any alternate financial assurance mechanisms as specified in this Subpart, provided that at all times the owner or operator maintains an effective financial assurance mechanism or combination of mechanisms that satisfies the requirements of Section 731.193.

- b) After obtaining alternate financial assurance as specified in this Subpart, an owner or operator may cancel a financial assurance mechanism by providing notice to the provider of financial assurance.

(Source: Added at 13 Ill. Reg. 1501Q effective Sept. 12, 1989)

Section 731.205 Cancellation or Nonrenewal by Provider

- a) Except as otherwise provided, a provider of financial assurance may cancel or fail to renew an assurance mechanism by sending a notice of termination by certified mail to the owner or operator.

- 1) Termination of a guarantee, a surety bond or a letter of credit must not occur until 120 days after the date on which the owner or operator receives the notice of termination as evidenced by the return receipt; or

- 2) Termination of insurance or risk retention group coverage must not occur until 60 days after the date on which the owner or operator receives the notice of termination, as evidenced by the return receipt.

- b) If a provider of financial responsibility cancels or fails to renew for reasons other than incapacity of the provider as specified in Section 731.206, the owner or operator shall obtain alternate coverage as specified in this Section within 60 days after receipt of the notice of termination. If the owner or operator fails to obtain alternate coverage within 60 days after receipt of the notice of

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

termination, the owner or operator shall notify the Fire Marshal of such failure and submit:

- 1) The name and address of the provider of financial assurance;
- 2) The effective date of termination; and
- 3) The evidence of the financial assistance mechanism subject to the termination maintained in accordance with Section 731.207(b).

(Source: Added at 13 Ill. Reg. 1501Q, effective Sept. 12, 1989)

Section 731.206 Reporting

- a) The owner or operator shall deposit with the Fire Marshal an original, or a signed duplicate original, of any required financial assurance document. The owner or operator shall deposit the document within 14 days after the date on which the operator receives the document.

- b) An owner or operator shall certify compliance with the financial responsibility requirements of this Part as specified in the new tank notification form when notifying the Fire Marshal of the installation of a new underground storage tank under Section 731.122.

(Source: Added at 13 Ill. Reg. 1501Q effective Sept. 12, 1989)

Section 731.207 Recordkeeping

An owner or operator who deposits the required financial assurance documents with the Fire Marshal pursuant to Section 731.206 is not otherwise required to maintain copies of the documents or the certificate, which would be required pursuant to 40 CFR 280.107, adopted at 53 Fed. Reg. 43357, October 26, 1988.

(Source: Added at 13 Ill. Reg. 1501Q effective Sept. 12, 1989)

Section 731.208 Drawing on Financial Assurance

- a) The Fire Marshal shall require the guarantor, surety or institution issuing a letter of credit to place the amount of funds stipulated by the Fire Marshal up to the limit of funds provided by the financial assurance mechanism, into the standby trust if:

- 1) Both:

- A) The owner or operator fails to establish alternate financial assurance within 60 days after receiving notice of cancellation of the guarantee, surety bond, letter of

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

credit or as applicable, other financial assurance mechanism; and

- B) The Fire Marshal determines or suspects that a release from an underground storage tank covered by the mechanism has occurred and so notifies the owner or operator or the owner or operator has notified ESDA pursuant to Subpart E or F of a release from an underground storage tank covered by the mechanism; or

- 2) The conditions of subsections (b)(1) or (b)(2)(A) or (B) are satisfied.

- b) The Fire Marshal shall draw on a standby trust fund when:

- 1) The Fire Marshal makes a final determination that a release has occurred and immediate or long-term corrective action for the release is needed, and the owner or operator, after appropriate notice and opportunity to comply, has not conducted corrective action as required under Subpart F; or

- 2) The Fire Marshal has received either:

- A) Certification from the owner or operator and third-party liability claimant and from attorneys representing the owner or operator and the third-party liability claimant that a third-party liability claim should be paid. The Board incorporates by reference 40 CFR 280.108(b)(2)(i) as adopted at 53 Fed. Reg. 43370, October 26, 1988. This Section incorporates no future editions or amendments. The certification must be worded as provided in 40 CFR 280.108(b)(2)(i), except that instructions in brackets are to be replaced with the relevant information and the brackets deleted. Or,

- B) A valid final court order establishing a judgment against the owner or operator for bodily injury or property damage caused by an accidental release from an underground storage tank covered by financial assurance under this Subpart and the Fire Marshal determines that the owner or operator has not satisfied the judgment.

- C) If the Fire Marshal determines that the amount of corrective action costs and third-party liability claims eligible for payment under subsection (b) may exceed the balance of the standby trust fund and the obligation of the provider of financial assurance, the first priority for payment must be corrective action costs necessary to protect human health and the environment. The Fire Marshal

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

shall pay third-party liability claims in the order in which the Fire Marshal receives certifications under subsection (b)(2)(A), and valid court orders under subsection (b)(2)(B).

(Source: Added at 13 Ill. Reg. 15010, effective Sept. 12, 1989)

Section 731.209 Release from Financial Assurance Requirement

An owner or operator is no longer required to maintain financial responsibility under this Subpart for an underground storage tank after the tank has been properly closed or, if corrective action is required, after corrective action has been completed and the tank has been properly closed as required by Subpart G.

(Source: Added at 13 Ill. Reg. 15010 effective Sept. 12, 1989)

Section 731.210 Bankruptcy or other Incapacity

- a) Within 10 days after commencement of a voluntary or involuntary proceeding under 11 U.S.C. (Bankruptcy), naming an owner or operator as debtor, the owner or operator shall notify the Fire Marshal by certified mail of such commencement and submit the appropriate forms listed in Section 731.207(b) documenting current financial responsibility.

- b) Within 10 days after commencement of a voluntary or involuntary proceeding under 11 U.S.C. (Bankruptcy), naming a guarantor providing financial assurance as debtor, such guarantor shall notify the owner or operator by certified mail of such commencement as required under the terms of the guarantee specified in Section 731.196.

- c) An owner or operator who obtains financial assurance by a mechanism other than the financial test of self-insurance will be deemed to be without the required financial assurance in the event of a bankruptcy or incapacity of its provider of financial assurance, or a suspension or revocation of the authority of the provider of financial assurance to issue a guarantee, insurance policy, risk retention group coverage policy, surety bond or letter of credit. The owner or operator shall obtain alternate financial assurance as specified in this Subpart within 30 days after receiving notice of such an event. If the owner or operator does not obtain alternate coverage within 30 days after such notification, the owner or operator shall notify the Fire Marshal.

(Source: Added at 13 Ill. Reg. 15010, effective Sept. 12, 1989)

Section 731.211 Replenishment

POLLUTION CONTROL BOARD

NOTICE OF ADOPTED AMENDMENTS

a) If at any time after a standby trust is funded upon the instruction of the Fire Marshal with funds drawn from a guarantee, letter of credit or surety bond, and the amount in the standby trust is reduced below the full amount of coverage required, the owner or operator shall by the anniversary date of the financial mechanism from which the funds were drawn:

- 1) Replenish the value of financial assurance to equal the full amount of coverage required, or
 - 2) Acquire another financial assurance mechanism for the amount by which funds in the standby trust have been reduced.
- b) For purposes of this Section, the full amount of coverage to be provided by Section 731.193. If a combination of mechanisms was used to provide the assurance funds which were drawn upon, replenishment must occur by the earliest anniversary date among the mechanisms.

(Source: Added at 13 Ill. Reg. 15010, effective Sept. 12, 1989)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: The Barber, Cosmetology and Esthetics Act of 1985
- 2) Code Citation: 68 Ill. Adm. Code 1175
- 3) Section Numbers: Adopted Action:
1175.425 Amended
1175.600 Amended
- 4) Statutory Authority: The Barber, Cosmetology and Esthetics Act (Ill. Rev. Stat. 1988 Supp., ch. 111, par. 1703-7)
- 5) Effective Date of Rule: September 7, 1989
- 6) Do these amendments contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: September 7, 1989
- 9) Date Notice of Proposal Published in Illinois Register: May 12, 1989, 13 Ill. Reg. 7185
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Difference(s) between proposal and final version:
The following text has been added to Section 1175.425(a)(2): "A prerenewal period is the twenty-four (24) month period preceding September 30th in the year of renewal."
In agreement with the Joint Committee on Administrative Rules and at the direction of the Administrative Code Division, clerical, technical and typographical changes were made.
- 12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will these Amendments replace an Emergency Amendment currently in effect? Yes
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Amendments:

Cosmetology teachers will be required to obtain 5 hours of continuing education (CE) for the 9-30-90 renewal. The number of hours required has been reduced for the 9-30-90 renewal only. Beginning with the 9-30-92 renewal of cosmetology teacher licenses, 10 hours of CE will be

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

required. These hours must be obtained within the 24 months before the license expires (i.e., the 10 hours of CE used to renew a license which will expire on 9-3-92 must be obtained between 10-1-90 and 9-30-92). CE must be obtained from a sponsor of cosmetology teacher CE that is approved by the Department. A cosmetology teacher licensed in another state that also requires CE may use the hours obtained to meet the CE requirement in the other State for the renewal of their Illinois cosmetology teacher's license.

Cosmetologists who also hold a cosmetology teacher license may elect to obtain their CE hours from an approved cosmetology teacher CE sponsor. These hours, if applied toward the fulfillment of the cosmetologist CE requirement cannot also be used toward fulfillment of the cosmetology teacher CE requirement. Cosmetology teachers will be required to certify to completion of the required CE on their renewal applications. The Department may require additional evidence demonstrating compliance with the CE requirements. CE requirements do not have to be met by cosmetology teachers renewing their license for the first time only.

These amendments set forth application procedures and standards that cosmetology teacher CE sponsors must comply with in order to become approved sponsors.

- 16) Information and questions regarding the adopted amendments shall be directed to:

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800

The full text of the Adopted Amendments begins on the next page:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1175
THE BARBER, COSMETOLOGY AND ESTHETICS ACT OF 1985

SUBPART A: GENERAL

Section
1175.100
1175.105
1175.110

Fees
English Translations
Granting Variances

SUBPART B: BARBER

1175.200
1175.205
1175.210
1175.215
1175.220
1175.225
1175.230
1175.235

Examination - Barber
Examination - Barber Teacher
Examination Requirements
Application for Licensure
Endorsement
Renewals
Restoration - Barber
Restoration - Barber Teacher

SUBPART C: BARBER SCHOOLS

1175.300
1175.305
1175.310
1175.315
1175.320
1175.325
1175.330
1175.335
1175.340
1175.345
1175.350
1175.355
1175.360
1175.365
1175.370

School Approval Application
Physical Site Requirements
Student Contracts
Advertising
Recordkeeping - Transcripts
Recordkeeping - Hours Earned
Curriculum Requirements - Barber
Curriculum Requirements - Barber Teacher
Final Examination
Change of Ownership
Change of Location
Change of Name
Expansion
Discontinuance of Program
Withdrawal of Approval

SUBPART D: COSMETOLOGY

1175.400

Examination - Cosmetology

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

1175.405 Examination - Cosmetology Teacher
 1175.410 Examination Requirements
 1175.415 Application for Licensure
 1175.420 Endorsement
 1175.425 Renewals
 1175.430 Restoration - Cosmetology
 1175.435 Restoration - Cosmetology Teacher

SUBPART E: COSMETOLOGY SCHOOLS

1175.500 School Approval Application
 1175.505 Physical Site Requirements
 1175.510 Student Contracts
 1175.515 Advertising
 1175.520 Recordkeeping - Transcripts
 1175.525 Recordkeeping - Hours Earned
 1175.530 Curriculum Requirements - Cosmetology
 1175.535 Curriculum Requirements - Cosmetology Teacher
 1175.540 Final Examination
 1175.545 Change of Ownership
 1175.550 Change of Location
 1175.555 Change of Name
 1175.560 Expansion
 1175.565 Discontinuance of Program
 1175.570 Withdrawal of Approval

SUBPART F: CONTINUING EDUCATION - COSMETOLOGY/COSMETOLOGY TEACHER

1175.600 Sponsor Approval
 1175.605 Department Supervision
 1175.610 Credit Hours
 1175.615 Waiver of Continuing Education Requirements

AUTHORITY: Implementing the Barber, Cosmetology and Esthetics Act of 1985 (Ill. Rev. Stat. 1987, ch. 111, par. 1701-1 et seq., as amended by P.A. 85-1302, effective January 1, 1989) and authorized by Section 60(7) of the Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 60(7)).

SOURCE: Adopted at 12 Ill. Reg. 20488, effective November 29, 1988; emergency amendments at 13 Ill. Reg. 6810, effective April 10, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 15034, effective September 7, 1989.

SUBPART D: COSMETOLOGY

Section 1175.425 Renewals

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

a) Every license issued under the Act shall expire as follows:

- 1) Cosmetology teacher and cosmetology school licenses shall expire on September 30 of each even numbered year.
- 2) Cosmetologists licenses shall expire on September 30 of each odd numbered year. A prerenewal period is the twenty-four (24) month period preceding September 30th in the year of renewal.
- 3) The holder of a certificate of registration may renew such certificate during the month preceding its expiration date.

b) Applicants for renewal shall:

- 1) Return a completed renewal application.
- 2) Cosmetology -- Certify on the renewal application to successful completion of a minimum of 20 hours of continuing education from a cosmetology sponsor approved by the Department, in accordance with Section 1175.600 of this Part, within the 2 years prior to the expiration date of the license, renewal if renewing a cosmetology license.
 - A) For the renewal period of October 1, 1987, to September 30, 1989, each individual who applies for renewal, other than first time renewal applicants, shall be required to complete only 10 hours of continuing education. For every renewal thereafter, the individual shall be required to complete 20 hours of continuing education.
 - B) A renewal applicant is not required to comply with continuing education for the first renewal after issuance of original license.
 - C) The Department may require additional evidence demonstrating compliance with the CE requirements (i.e., certificate of attendance or certificate of completion). It is the responsibility of each renewal applicant to retain or otherwise produce evidence of such compliance. Such evidence shall be required in the context of the Department's random audit.
 - D) Cosmetologists who also hold a cosmetology teacher license may elect to obtain their continuing education hours from a cosmetology teacher continuing education sponsor approved by the Department in accordance with Section 1175.600 of this Part. These hours, if applied toward the fulfillment of

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

subsection 2(A) above, cannot also be used toward the fulfillment of the cosmetology teacher continuing education requirement. In addition, the hours must be earned during the appropriate prerenewal period.

- 3) Cosmetology Teacher --- Certify on the renewal application to successful completion of a minimum of 10 hours of continuing education from a cosmetology teacher continuing education sponsor approved by the Department, in accordance with Section 1175.600 of this Part, within the 2 years prior to renewal if renewing a cosmetology teacher license.

A) For the renewal period of October 1, 1988, to September 30, 1990, each individual who applies for renewal, other than first time renewal applicants, shall be required to complete only 5 hours of continuing education. For every renewal thereafter, such individual shall be required to complete 10 hours of continuing education.

B) A renewal applicant is not required to comply with continuing education for the first renewal after issuance of original license.

C) The Department may require additional evidence demonstrating compliance with the continuing education requirements (i.e., certificate of attendance or certificate of completion). It is the responsibility of each renewal applicant to retain or otherwise produce evidence of such compliance. Such evidence shall be required in the context of the Department's random audit.

4) Submit the required fee.

5) It is the responsibility of each licensee to notify the Department of any change of address. Failure to receive a renewal form from the Department shall not constitute an excuse for failure to renew a license.

(Source: Amended at 13 Ill. Reg. 15034, effective September 7, 1989)

SUBPART F: CONTINUING EDUCATION - COSMETOLOGY/COSMETOLOGY TEACHER

Section 1175.600 Sponsor Approval

- a) Sponsor, as used in this Section, shall mean a person, firm, association, corporation, or any other group which has been approved and authorized by the Department to coordinate and present continuing

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

education (CE) courses or programs for cosmetologists or cosmetology teachers or both.

- b) A cosmetology continuing education sponsor application shall be filed with the Department to be approved as a cosmetology continuing education sponsor. A cosmetology teacher continuing education sponsor application shall be filed with the Department to be approved as a cosmetology teacher continuing education sponsor. A sponsor shall file a sponsor application with the Department and All sponsors shall certify that they will comply with all sponsor CE requirements set forth in Subpart F.

c) A cosmetology sponsor shall provide CE courses and programs which are organized programs of formal learning which contribute directly to a cosmetologist's knowledge and ability to perform his duties as a cosmetologist. A continuing education program or course must meet the following minimum requirements:

- 1) A cosmetology course or program shall include as its subject matter one or more of the following:

- A) Advanced product chemistry and chemical interaction;
 - B) The use of machines for care of the face and skin;
 - C) Sanitary procedures;
 - D) Updated use of styling implements as they relate to applicable services under this Act;
 - E) Advanced knowledge of the anatomy of the skin, scalp, and hair;
 - F) Human relations/communications skills; and
 - G) Management and marketing.
- 2) All programs shall be developed and presented by persons with education training and/or practical experience in the subject matter to be presented.

3) All programs must include a student evaluation of both the instructor and the course.

4) All programs shall specify the course objectives, content, prerequisites, requirements, and the number of CE hours to be earned. Such information shall be specified in all promotional materials.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

d) A cosmetology teacher CE sponsor shall provide CE courses and programs which are organized programs of formal learning which contribute directly to a cosmetology teacher's knowledge and ability to perform his duties as a cosmetology teacher. A continuing education program or course must meet the following minimum requirements:

1) A course or program shall include as its subject matter one or more of the following:

A) Educational Psychology;

B) Teaching Techniques as they apply to the use of machines for care of the face and skin;

C) Teaching Methods;

D) Business Methods;

E) Human Relations;

F) Counseling Techniques;

H) Student Evaluation Skills;

I) State and Federal Laws pertinent to Cosmetology;

J) Tests and Measurements; and

K) Written and Verbal Communication Skills.

2) All programs shall be developed and presented by persons with education training and/or practical experience in the subject matter to be presented.

3) All programs must include a student evaluation of both the instructor and the course.

4) All programs shall specify the course objectives, content, prerequisites, requirements, and the number of CE hours to be earned. Such information shall be specified in all promotional materials.

e) 5) All sponsors shall verify attendance at each CE course or program. A record of attendance shall be kept for no less than 5 years. Sponsors shall give each successful participant a record of completion at the end of the course or program. All records shall include the following information: name, address,

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

Identification number of participants, course title, CE hours awarded, date of course, name of instructor, and name of sponsor.

(Source: Amended at 13 Ill. Reg. 15034, effective September 7, 1989.)

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Dental Practice Act
- 2) Code Citation: 68 Ill. Adm. Code 1220
- 3) Section Numbers: Adopted Action:
1220.140 Amended
- 4) Statutory Authority: Dental Practice Act (Ill. Rev. Stat. 1987, ch. 111, par. 2305)
- 5) Effective Date of Rule: September 11, 1989
- 6) Do these amendments contain an automatic repeal date? No
- 7) Do these amendments contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: September 7, 1989
- 9) Date Notice of Proposal Published in Illinois Register: April 21, 1989, 13 Ill. Reg. 5398
- 10) Has JCAR issued a Statement of Objections to these amendments? No
- 11) Difference(s) between proposal and final version:

The word "gold" wherever that it appears has been changed to "metal".

After "Special Senses" in Sections 1220.140(b)(1)(G), (2)(D), and (3)(G), "(Sight, Hearing, Smell, Taste and Touch)" has been added.

The spelling of "curriculum" in the first sentence of Section 1220.140 and in Section 1220.140(h) has been corrected.

The spelling of "Reticuloendothelial" has been corrected in Section 1220.140(b)(1)(B).

The spelling of "Caniofacial" has been corrected in Section 1220.140(b)(2)(E).

The hyphen in Section 1220.140(b)(8) has been changed to a dash.

In subsection (c), the word "subsection" has been made plural and the subsection labels have been placed in parentheses.

The spelling of "Anaphylaxis" in Section 1220.140(c)(7)(B) has been corrected.

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF ADOPTED AMENDMENTS

The spelling of "Analgams" in Section 1220.140(c)(14)(E) has been corrected.

The spelling of "Maxillofacial" in Section 1220.140(c)(22)(D) has been corrected.

In subsection (d), the word "subsection" has been made plural and the subsection labels have been placed in parentheses.

In Section 1220.140(d)(2), at the end of line 1 "the" has been deleted and "Patent" has been changed to "Patient" in line 4.

In Section 1220.140(d)(3), "Case" has been changed to "Care".

In subsection (f)(6), "or 75 clock hours of pediatric care" has been added to the end of this subsection.

In Section 1220.140(f)(7)(B), "planning" has been changed to "planing".

The hyphens have been changed to dashes in Sections 1220.140(f)(8) and (9).

A hyphen has been added to "bite wings" in Section 1220.140(f)(10).

In agreement with the Joint Committee on Administrative Rules and at the direction of the Administrative Code Division clerical, technical and typographical changes were made.

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes

13) Will these Amendments replace an Emergency Amendment currently in effect? No

14) Are there any Amendments pending on this Part? No

15) Summary and Purpose of Amendments:

These amendments set forth up-dated and detailed minimum curriculum standards that a dental program shall meet in order to be approved by the Department upon the recommendation of the Board.

In determining whether a program should be approved, the Department shall take into consideration but not be bound by accreditation by the Commission on Dental Accreditation of the American Dental Association.

The Department, upon the recommendation of the Board, has determined that

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

all of the dental programs accredited by the Commission on Dental Accreditation of the American Dental Association as of January 1989, meet the minimum curriculum criteria set forth and are, therefore, approved.

- 16) Information and questions regarding the adopted amendments shall be directed to:

Department of Professional Regulation
Attention: Jean Courtney
320 West Washington, 3rd Floor
Springfield, IL 62786
217/785-0800

The full text of the Adopted Amendments begins on the next page.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

TITLE 68: PROFESSIONS AND OCCUPATIONS
CHAPTER VII: DEPARTMENT OF PROFESSIONAL REGULATION
SUBCHAPTER b: PROFESSIONS AND OCCUPATIONS

PART 1220
DENTAL PRACTICE ACT

SUBPART A: DENTIST

Section	
1220.110	Application for Examination
1220.120	Clinical Examinations
1220.130	System of Retaking the Clinical Sections of the Examination
1220.140	Minimum Standards for an Approved Curriculum in Dentistry
1220.150	Licensure (Repealed)
1220.160	Restoration

SUBPART B: DENTAL HYGIENIST

1220.210	Applications
1220.220	Clinical Examination
1220.230	System of Grading
1220.231	System of Retaking the Clinical Examination
1220.240	Permitted Duties of Dental Auxiliaries
1220.250	Approved Programs of Dental Hygiene
1220.260	Restoration

SUBPART C: DENTAL SPECIALIST

1220.310	Applications
1220.320	Examination
1220.330	System of Grading
1220.335	American Board Diplomates
1220.340	Specialty Listing (Repealed)
1220.350	Restoration

SUBPART D: GENERAL

1220.400	Reportable Diseases and Conditions
1220.410	Endorsement
1220.421	Advertising
1220.425	Referral Services
1220.431	Employment by Corporation (Repealed)
1220.435	Renewals
1220.441	Granting Variances

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF ADOPTED AMENDMENTS

SUBPART E: ANESTHESIA PERMITS

1220.500 Definitions
1220.510 Light Parenteral Conscious Sedation
1220.520 General Anesthesia and Deep Parenteral Conscious Sedation
1220.530 Anesthesia Review Panel
1220.540 Approved Programs in Anesthesiology
1220.550 Reporting of Adverse Occurrences
1220.560 Restoration of Permits

1220 Appendix A Pre-clinical Restorative Dentistry Sub-section (Repealed)
1220 Appendix B Dental Assistant Permitted Procedures
1220 Appendix C Dental Hygienist Permitted Procedures

AUTHORITY: Implementing The Illinois Dental Practice Act (Ill. Rev. Stat. 1987, ch. 111, par. 2301 et seq.) and authorized by Section 60(7) of The Civil Administrative Code of Illinois (Ill. Rev. Stat. 1987, ch. 127, par. 60(7)).

SOURCE: Rules and Regulations for the Administration and Enforcement of the Provisions of the Illinois Dental Practice Act, effective August 16, 1967; amended at 3 Ill. Reg. 16, p. 21, effective April 21, 1979; amended at 3 Ill. Reg. 42, p. 266, effective October 3, 1979; codified at 5 Ill. Reg. 11028; emergency amendment at 6 Ill. Reg. 916, effective January 6, 1982, for a maximum of 150 days; amended at 6 Ill. Reg. 4174, effective May 24, 1982; amended at 6 Ill. Reg. 7448, effective June 15, 1982; emergency amendment at 7 Ill. Reg. 8952, effective July 15, 1983, for a maximum of 150 days; amended at 8 Ill. Reg. 15610, effective August 15, 1984; amended at 10 Ill. Reg. 20725, effective December 1, 1986; transferred from Chapter I, 68 Ill. Adm. Code 220 (Department of Registration and Education) to Chapter VII, 68 Ill. Adm. Code 1220 (Department of Professional Regulation) pursuant to P.A. 85-225, effective January 1, 1988, at 12 Ill. Reg. 2326; amended at 13 Ill. Reg. 4191, effective March 16, 1989; amended at 13 Ill. Reg. 15043, effective September 11, 1989.

Note: Capitalization Denotes Statutory Language

SUPPORT A: DENTIST

Section 1220.140 Minimum Standards for an Approved Curriculum in Dentistry

- a) General requirements. The curriculum in dentistry comprises instruction totaling approximately 4,000 hours more or less, equally divided throughout a four-year period. Instruction is provided by the traditional means of lecture, seminar, conference, laboratory and clinical practice, complemented by opportunities for increasing

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF ADOPTED AMENDMENTS

numbers of programmed, self-instructional learning experiences. For the first two years the student dentist stresses learning in the general medical sciences upon which clinical practice is built. Preclinical technique courses, which prepare the student for treating patients in the upper class years, are offered concurrently. In the third and fourth years the student shall spend a majority of his time in supervised clinical practice.

b) Specific course requirements

- 1) Dental Clinical Science. This program introduces the first-year student to clinical dentistry by reproducing situations which arise when a new patient enters the dental office. It consists of information gathering and correlation of information for diagnosis and treatment planning. Introduction to techniques of control and prophylaxis. Lectures on oral anatomy, examination, charting, impression taking, plaque control, prophylaxis and rubber dam application. (60 clock hours--20 clock hours lecture, 40 clock hours clinical.)
- 2) Radiology. The first year course presents the physical principles of X-rays used in dentistry, the production of quality radiographs and the employment of such radiographs as an oral diagnostic aid. (20 clock hours lecture.)
- 3) Biochemistry. Introductory course designed to provide a basic knowledge of how cells function at the molecular level. Includes structure and function relationships in carbohydrate, lipid, protein and nucleic acid metabolism. (60 clock hours lecture.)
- 4) Histology. This course includes microscopic structure, function, development and maintenance of the tissues of the body. The course also includes microscope and submicroscopic structure and the interrelationships of cells and their environment. (120 clock hours--80 clock hours lecture, 40 clock hours clinical.)
- 5) Oral Histology. A course in the microscopic anatomy and functions of the tooth, periodontium and other oral structures. Emphasis is placed upon the cytologic and histologic features of the oral structures and the biologic basis for clinical procedures applied to these structures. (60 clock hours--40 clock hours lecture, 20 clock hours clinical.)
- 6) Gross Anatomy for the Dental Student. Dissection of the human body, consideration of functional and clinical implications of regional anatomy. (200 clock hours--50 clock hours lecture, 150 clock hours clinical.)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- 7) **Neuroanatomy**---Development, gross and microscopic structure of the central nervous system and function.---(40 clock hours.---20 clock hours-Lecture, 20 clock hours-Clinical.)
- 8) **Microbiology** for the Dental Student.---(40 clock hours.---40 clock hours-Lecture, 40 clock hours-Clinical.)
- A) **General properties**, structure, genetics of microorganisms, methods of cultivation, identification, and control of microorganisms.
- B) **Mechanisms** by which the body responds to infection and antigenic stimulation; i.e., host defense.
- C) **Microorganisms** as agents of human disease.---Greatest emphasis is placed on those microorganisms causing systemic disease with oral manifestations.
- 9) **Applied Nutrition** in Clinical Dentistry.---The principles of nutrition as applied to the prevention of dental disease and the maintenance of optimal dental health.
- 10) **Occlusion** I.---The physiology of the stomatognathic system.---The use of clinical instrumentation.---The form and function of the masticatory system.---Basic procedures necessary for diagnosis and for the evaluation of occlusion are taught.---The use of the articulator.---(30 clock hours.---10 clock hours-Lecture, 20 clock hours-Clinical.)
- 11) **Occlusion** II.---The study in depth of the functional and parafunctional tooth contacts and the influence of various factors in the morphology of the teeth in restorative procedures. Developing a functional occlusion in wax on standardized models mounted on the articulator.---Clinically applicable techniques for developing an optimal occlusion in restorative dentistry procedures.---(30 clock hours.---10 clock hours-Lecture, 20 clock hours-Clinical.)
- 12) **Oral Biology**.---The structure and function of the human teeth and their associated soft parts.---The morphogenetics and history of the human dentition are also treated in a simplified way.---(40 clock hours.---20 clock hours-Lecture, 20 clock hours-Clinical.)
- 13) **Dental Materials**.---The application of basic principles of chemistry, physics and materials science in dental materials; with emphasis on physical and chemical properties, manipulation and

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- technique variables and the interrelationship of various materials used in dentistry.---(50 clock hours.---20 clock hours-Lecture, 30 clock hours-Clinical.)
- 14) **Operative Dentistry**.---Techniques I.---An introduction to the basic principles of operative dentistry which accentuates the biological process of dental caries, methods and forms of cavity preparation and the indications for restorative dental materials.---(120 clock hours.---30 clock hours-Lecture, 90 clock hours-Clinical.)
- 15) **Radiology**.---In the second year class the student learns to take process and mount a full set of periapical radiographs.---(16) utilizing the bisecting angle technique.---Each student is expected to take, process and mount a set of bite wing radiographs.---(4) (10 clock hours.---2 clock hours-Lecture, 8 clock hours-Clinical.)
- 16) **Pathology**.---General principles of tissue response to injury. Special emphasis on inflammation, immunopathology, hematologic disorders including bleeding and clotting disturbances and neoplasia.---(30 clock hours-Lecture and Clinical.)
- 17) **Systems Pathology**.---Study of various organ systems and their diseases.---(20 clock hours-Lecture and Clinical.)
- 18) **Physiology** for the Dental Student.---The major concepts involved in the regulation of living processes are introduced.---(90 clock hours.---50 clock hours-Lecture, 40 clock hours-Clinical.)
- 19) **Oral Pathology**.---A course dealing with the diseases of the teeth, periodontium, mandible and maxilla, muscles and nerves of the oral region, oral mucous membranes and salivary glands.---The causes of the various diseases, the development of the lesions and their microscopic appearance are emphasized.---(80 clock hours.---40 clock hours-Lecture, 40 clock hours-Clinical.)
- 20) **Growth and Development**.---Introduction to growth and development.---Types and methods of growth study; handling of growth data; skeletal biology and growth of the cranio-facial complex; development of the dentition; growth mechanisms and controls.---(10 clock hours-Lecture.)
- 21) **Preventive Medicine**.---Principles of prevention of disease by individual professional practitioners and through community measures.---Definition of disease and classification by causation. Role of epidemiology in the collection and interpretation of essential information and to evaluate results of preventive measures.---(10 clock hours-Lecture.)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- 22) Internal Medicine for Dental Students.---The principles of internal medicine and aspects of common diseases.---(20 clock hours Lecture.)
- 23) Cariology.---Dental caries and its prevention.---(10 clock hours Lecture.)
- 24) Oral Surgery.---Lectures designed to prepare the student for basic oral surgery as practiced by the generalist covering history taking, patient evaluation, oral, head and neck examination, aseptic technique, instrumentation, routine and complicated exodontia, operative and postoperative care, diagnosis and treatment of acute and chronic infections of dental etiology.---(10 clock hours Lecture and Clinical.)
- 25) Pain Control.---Lectures on regional analgesia, including the anatomic and physiologic basis for injection techniques, pharmacology of local anesthetic solutions and vasoconstrictors and post treatment pain control.---(12 clock hours.---8 clock hours Lecture, 4 clock hours Clinical.)
- 26) Occlusion.---(40 clock hours.---10 clock hours Lecture, 30 clock hours Clinical.)
- A) Analysis of occlusion.---treatment planning and methods for treating the occlusion.---The study of parafunction, indications and criteria for correction of malocclusions, and the techniques for accomplishing this.
- B) Upon completion of the course, the student should be able to determine whether or not a patient has occlusal problems and by what method they should be corrected.---The student should be thoroughly familiar with the technique of occlusal adjustment by selective grinding.
- 27) Operative Dentistry.---Techniques.---I.---Practical course for operative dentistry which simulates clinical situations with the utilization of metals and mannequins.---The utilization of modern dental materials.---cast gold, anterior restorative materials, and silver amalgam in detail.---(40 clock hours.---10 clock hours Lecture, 30 clock hours Clinical.)
- 28) Periodontics.---Techniques.---Preclinical Laboratory course devoted to restorative dentistry in the primary and young permanent dentition.---Cavity preparations for silver amalgam, preparation and placement of stainless steel crowns, and composite restorative materials are taught using the dentoform and extracted teeth.---(30 clock hours.---10 clock hours Lecture, 20 clock hours Clinical.)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- 29) Endodontic.---Technic.---Biologic and mechanical principles in endodontics, particularly as related to root canal therapy.---The technical procedures in root canal therapy are practiced in the technic laboratory on extracted teeth mounted to the jaw comparments of a dentoform mannequin outfit simulating the patient.---(70 clock hours.---20 clock hours Lecture, 50 clock hours Clinical.)
- 30) Fixed Partial Prosthodontic.---Technics.---Fundamental techniques in the construction of fixed prostheses.---Restoration on models and mannequins of lost tooth structure with crowns and the replacement of missing teeth with fixed partial dentures.---(160 clock hours.---40 clock hours Lecture, 120 clock hours Clinical.)
- 31) Prosthodontics.---Technics.---Complete.---(80 clock hours.---20 clock hours Lecture, 60 clock hours Clinical.)
- A) A course on a basic complete denture concept and technic with consideration given to the biological basis for each procedural step.
- B) Additional emphasis is given to the various occlusal patterns used in complete denture prosthodontics.
- 32) Prosthodontic.---Technics.---Partial.---A course on the theory of prosthetic occlusion for complete and removable partial dentures and the surveying and designing of removable partial dentures with a consideration of the biologic aspect of dental prostheses.---(40 clock hours.---10 clock hours Lecture, 30 clock hours Clinical.)
- 33) Periodontic.---Technic.---Laboratory exercises in technics related to periodontal treatment.---Exercises in temporary splinting, gingival and osseous surgery, flap design and suturing are carried out on mannequins.---(60 clock hours.---30 clock hours Lecture, 30 clock hours Clinical.)
- 34) Pharmacology.---For the Dental Student.---The principles of pharmacology are presented with special emphasis on drugs for preoperative medication and the management of pain.---Pharmacodynamics, nomenclature, classification and therapeutics, including prescription writing are covered.---(70 clock hours.---40 clock hours Lecture, 30 clock hours Clinical.)
- 35) Growth and Development.---II
- A) Neuromuscular and soft tissue development, static occlusal relations and homeostasis of the dentition, biomechanical and

DEPARTMENT OF PROFESSIONAL REGULATION

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

histologic--concepts--in--tooth--movement;--classification--and
etiology--of--malocclusion;--preventive--orthodontics--
fabrication--and--analysis--of--dental--study--models;--evaluation--of
dental--radiographs;--introduction--to--roentgenographic
cephalometry--and--cephalometric--analysis--(30--clock--hours--to
clock--hours--Lecture, 20--clock--hours--Clinical)

8) Interceptive--orthodontics;--clinical--cephalometrics;--treatment
of--major--malocclusion;--Longitudinal--study--of--normal
dentofacial--growth--composites;--longitudinal--study--of--abnormal
dentofacial--growth--and--development--(30--clock--hours--to
clock--hours--Lecture, 20--clock--hours--Clinical)

6) Dentofacial--orthopedics;--surgical--orthodontics;--speech--and
language--development;--clinical--oral--diagnosis--by--the--speech
pathologists;--speech--therapy;--myofunctional--therapy;
craniofacial--anomalies;--(10--clock--hours--Lecture)

36) Clinical--Oral--Pathology--and--Oral--Medicine--The--clinical--aspects
of--oral--pathology--and--oral--medicine--Identification--and--treatment
of--the--common--oral--pathologic--conditions--of--local--and--systemic
origin--(10--clock--hours--Lecture)

37) Biomaterials;--Biophysical--effects--of--interaction--of--various
dental--materials--with--dentin,--pulp,--saliva,--and--oral--tissue--(10
clock--hours--Lecture)

38) Pedodontics--Clinic;--Clinical--experience--in--all--aspects--of--dental
care--for--children--including--operative--dentistry,--pulpal--therapy,
space--maintenance,--interceptive--orthodontics--and--treatment--of
traumatic--injuries--and--dental--emergencies;--(12--clock--hours
Clinical)

39) Oral--and--Maxillofacial--Surgery--Clinic;--Clinical--experience--in
routine--outpatient--oral--surgical--procedures--(27--clock--hours
Clinical)

40) Operative--Dentistry--Clinic

A) Clinical--practice--with--patients;--Advanced--restorative--and
adjunctive--techniques;--(12--clock--hours--Clinical)

B) Minimal--clinical--experiences--that--are--expected--of--each--student:

Inlays/Onlays 8--restorations
Gold-Foil 5--restorations

Amalgam, 1--surface 8--restorations
Amalgam, 2--surface 8--restorations
Composite 10--restorations
Amalgam-pin-retained 5--restorations
"Build-up"

41) Periodontics--Clinic;--Treating--periodontal--disease--on--clinic
patients;--(12--clock--hours--Clinical) Clinical Requirements:

A) Assist--at--a--minimum--of--three--surgeries

B) Complete--periodontal--treatment--on--three--patients

C) Twelve--quadrants--(84--teeth)--of--completed--scaling--and--root
planing--(may--include--curettage)

D) Four--quadrants--(28--teeth)--of--periodontal--surgery--(one
procedure--must--include--flap--and--osseous--surgery)

E) Equilibration--for--one--periodontal--patient

F) Delivery--of--one--occlusal--appliance,--or--temporary--splinting--of
one--segment,--or--placing--of--appliance--(fixed--or--removable)--for
minor--tooth--movement--in--one--periodontal--patient

42) Endodontics--Clinic;--Clinical--instruction--related--to--the--etiology,
diagnosis,--and--treatment--of--diseases--and--injuries--of--the--dental
pulp--and--periapical--tissues;--The--treatment--of--all--forms--and
aspects--of--endodontics--is--carried--out--on--clinic--patients--(12
clock--hours--Clinical)

43) Prosthetics--Clinic;--Clinical--practice--of--restoring--the
functions--of--mastication,--of--speech,--and--of--esthetics--for--complete
and--partial--edentulous--patients--utilizing--complete--dentures--and
removable--partial--dentures;--(10--clock--hours--Clinical)

44) Complete--and--Partial--Removable--Prosthetics;--Clinical
experience--including--successful--completion--of--a--minimum--of--6--units

45) Fixed--Prosthetics;--Complete--to--the--cementation--state;--a
minimum--of--five--units

46) Oral--Surgery--Complex;--Lectures--on--preprosthetic--surgery,
management--of--maxillary--sinus--diseases--of--odontogenic--origin,
oral--anal--fistula,--temporomandibular--joint--disorders,--odontogenic
and--non-odontogenic--cysts,--salivary--gland--disorders--and--diagnoses

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

and treatment of facial pain, acquired and congenital deformities of the head and neck; orthognathic surgery; traumatic injuries to the teeth, alveolar process and facial bones; soft tissue injuries, benign, premalignant and malignant lesions of the oral cavity and jaws including diagnosis, management and overall problems associated with the cancer patient. (20 clock hours Lecture.)

47) Conscious Sedation and General Anesthesiology. Lectures on methods other than regional analgesia for pain and anxiety control; techniques for oral inhalation, intramuscular and intravenous conscious sedation. An introduction to general anesthesiology is included. (12 clock hours. 8 clock hours Lecture, 4 clock hours Clinical.)

48) Operative Dentistry Clinical Lectures. The use of direct gold materials, electrosurgery in restorative procedures, indications for the use of restorative materials; review of the principles of cavity preparation, etc. (9 clock hours Lecture.)

49) Endodontic Clinical Lectures. The biology and technical principles underlying sound endodontic therapy from the standpoint of clinical practice. (10 clock hours Lecture.)

50) Fixed Partial Prosthodontics Clinical Lectures. Clinical and laboratory procedures used to diagnose, plan treatments, and restore fixed bridges of patients who have missing or badly broken down teeth. (19 clock hours Lecture.)

51) Oral Diagnosis Clinic. Clinical experience in admitting, examining, diagnosing and planning a course of dental treatment for patients. (30 clock hours Clinical.)

52) Radiology Clinic. Clinical experience in producing and interpreting intraoral radiographs and their correlation with comprehensive patient diagnosis. (72 clock hours Clinical.)

53) Prosthodontics Clinical Lectures. The theoretical and practical aspects of complex prosthodontic treatment involving complete and removable partial prostheses. (32 clock hours Lecture.)

54) Oral and Maxillofacial Surgery Clinic. Expanded scope of routine oral surgery. (27 clock hours Clinical.)

55) Growth and Development III

A) Diagnosis and treatment planning for simple malocclusion in

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

the primary and mixed dentitions. (4 clock hours Clinical.)

B) Diagnosis and treatment planning for cases of major malocclusion. (4 clock hours Clinical.)

56) Clinical Therapeutics in Dentistry. Clinical applications of medications and therapeutic agents related specifically to the clinical practice of dentistry. The specialized requirements of the debilitated patient and the relationship his needs bear on dental services. (10 clock hours Lecture.)

57) Special Patient Care. The special dental patient, including the handicapped, emotionally disturbed, chronically ill and the aged. (10 clock hours Lecture.)

58) Temporomandibular Joint Disorders. Differential diagnosis and treatment of organic and functional TMJ disorders. (10 clock hours Lecture.)

59) Periodontic Clinical Lectures. The theoretical and practical aspects of complex periodontal treatment. (10 clock hours Lecture.)

60) Comprehensive Instruction

A) Endodontics
B) Fixed Partial Prosthodontics
C) Operative Dentistry
D) Pediatric Dentistry
E) Periodontics
F) Prosthodontics
G) A course of structured clinical experiences based upon interdisciplinary restorative dental programs which emphasize total patient care. All aspects and current techniques compatible with the patients' total dental needs will be utilized. (720 clock hours Clinical.)

61) Electives. This program contains courses in clinical, basic and behavioral sciences. Ideally, students should enter their programs by including courses from all three areas.

(Source: Amended at 3 Ill. Reg. 16, p. 21, effective April 21, 1979)

A dental program shall meet the following minimum curriculum requirements to be approved by the Department upon the recommendation of the Board:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

a) The curriculum in dentistry comprises an educational experience totaling not less than 3800 clock hours of instruction extending over a period of time of not less than 120 weeks scheduled over three calendar years or four academic years of full time registration. Instruction is provided in basic, clinical and behavioral sciences and consists of varying amounts of didactic, laboratory and patient care experience in specific topic areas. Of the total clock hours of instruction in the curriculum not less than 15% shall be devoted to basic science topics, not less than 75% shall be devoted to clinical science topics including patient care and not less than 1% devoted to behavioral science topics. Utilization of the balance of the clock hours of instruction in the curriculum shall be left to the discretion of the institution.

b) Basic Science Component. A total of 570 clock hours are required for fulfillment of the basic science component of the dental curriculum (15%). A minimum number of clock hours have been set forth in each of the topics in subsections (1) through (12) below which totals 400 clock hours. The remaining 170 clock hours shall be taught in one or more of the topics (subsections (1) through (12)) at the discretion of the institution.

1) Gross Anatomy: (Excluding material taught in Head and Neck Anatomy) The minimum number of clock hours of didactic and laboratory instruction shall be fifty (50). Subtopics include but are not limited to:

- A) Growth and Development, General Concepts
- B) Blood and Lymph Vascular Systems (Reticuloendothelial System)
- C) Connective Tissues (Skeleton, Joints and Ligaments, Cartilage, Muscles and Fascia)
- D) Gastrointestinal (Tract, Associated Organs)
- E) Genitourinary Tract (Including Reproductive System)
- F) Neuroanatomy/Neurosciences
- G) Special Senses
- H) Respiratory System
- I) Endocrine System
- J) Skin and Appendages

2) Head and Neck Anatomy: (Excluding material taught in Gross Anatomy) The minimum number of clock hours of didactic and laboratory instruction shall be fifty (50). Subtopics include but are not limited to:

- A) Blood and Lymph Vascular Systems (Reticuloendothelial System)
- B) Connective Tissues (Skeleton, Joints and Ligaments, Cartilage, Muscles and Fascia)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- C) Neuroanatomy
- D) Special Senses
- E) Craniofacial Growth and Development

3) General Anatomy - Microscopic: The minimum number of clock hours of didactic and laboratory instruction shall be fifty (50). Subtopics include but are not limited to:

- A) Growth and Development, General Concepts
- B) Blood and Lymph Vascular Systems (Reticuloendothelial System)
- C) Connective Tissues (Skeleton, Joints and Ligaments, Cartilage, Muscles and Fascia)
- D) Gastrointestinal (Tract, Associated Organs)
- E) Genitourinary Tract (Including Reproductive System)
- F) Neuroanatomy
- G) Special Senses
- H) Respiratory System
- I) Endocrine System
- J) Skin and Appendages

4) Oral Histology: The minimum number of clock hours of didactic and/or laboratory instruction shall be twenty (20). Subtopics include but are not limited to:

- A) Teeth (Development and Structure)
- B) Oral Mucosa (Including Tongue and Tonsils)
- C) Supporting Structures
- D) Temporomandibular Joint
- E) Salivary Glands

5) Biochemistry: The minimum number of clock hours of didactic and/or laboratory instruction shall be forty-five (45). Subtopics include but are not limited to:

- A) Review of Physical and Organic Chemistry (Water, Buffers, Colloids, Carbohydrates, Lipids, Proteins, Amino Acids, Enzymes)
- B) Cell Biology
- C) Digestion and Absorption
- D) Vitamins
- E) Biological Oxidation
- F) Lipid, Protein, and Carbohydrate Metabolic Pathways
- G) Nucleotides, Deoxyribonucleic Acid (DNA), Ribonucleic Acid (RNA), Replication, Synthesis
- H) Inborn Errors of Metabolism
- I) Body Fluids and Acid-Base Balance

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- J) Blood Clotting Mechanisms
 K) Hormones
 L) Biochemistry of Specific Dental Interests (Calcified Tissues, Fluorides, Plaque, Calculus, Caries, Saliva, Periodontal Disease, Pain)

6) Microbiology: The minimum number of clock hours of didactic and/or laboratory instruction shall be forty-five (45). Subtopics include but are not limited to:

- A) Microbial Physiology, Metabolism and Structure
 B) Microbial Genetics
 C) Cultivation of Microorganisms
 D) Antimicrobial Chemotherapy
 E) Microbiology of Oral Infections, Dental Caries and Periodontal Diseases
 F) Oral Microbial Ecology
 G) Virology, Viral Structure and Metabolism
 H) Herpes Viruses and Viral Hepatitis
 I) Mycology
 J) Sterilization, Disinfection and Asepsis

7) Immunology: The clock hours of instruction are optional as this material may or may not be taught as a separate topic. Subtopics include but are not limited to:

- A) Immune Responses
 B) Antigen-Antibody Reactions
 C) Complement
 D) Allergy and Hypersensitivity
 E) Antibody Mediated and Cell-Mediated Reactions
 F) Host-Parasite Interactions
 G) Secretory Immune System
 H) Transplantation and Tumor Immunology Vaccines
 I) Non-Specific and Specific Host Defenses in the Oral Cavity

8) Pathology-General: The minimum number of clock hours of didactic and/or laboratory instruction shall be forty-five (45). Subtopics include but are not limited to:

- A) Basic Cellular and Vascular Pathologic Processes
 B) Infectious Diseases (Systemic)
 C) Inflammation and Repair (Including Immunopathology)
 D) Neoplasia and Growth Disturbances
 E) Nutritional, Metabolic, and Storage Disorders
 F) Organ and System Pathology

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

9) Pharmacology: The minimum number of clock hours of didactic and/or laboratory instruction shall be forty-five (45). Subtopics include but are not limited to:

- A) Pharmacodynamics
 B) Drug Laws and Prescription Writing
 C) Autonomic Nervous System
 D) Central Nervous System (Including) Analgesics and Local Anesthesia)
 E) Cardiovascular (Including Agents Affecting Coagulation)
 F) Renal
 G) Pulmonary
 H) Chemotherapy (Local and Systemic)
 I) Endocrine
 J) Muscle
 K) Digestive
 L) Clinical Pharmacology in Dentistry
 M) Adverse Interactions of Drugs

10) Physiology: The minimum number of clock hours of didactic and/or laboratory instruction shall be fifty (50). Subtopics include but are not limited to:

- A) Basic Nerve, Muscle, and Membrane Potentials
 B) Cardiovascular
 C) Respiration
 D) Renal, Body Fluids
 E) Gastrointestinal
 F) Endocrinology
 G) Nervous System (Autonomic Nervous System, Somato-sensory Point System, Motor Function, Special Senses, Higher Brain Functions)
 H) Oral Physiology

11) Genetics: The clock hours of instruction are optional as this material may or may not be taught as a separate topic area. Subtopics include but are not limited to: Control of Gene Activity.

c) Clinical Science Component. A total of 2850 clock hours are required for fulfillment of the clinical science component of the dental curriculum (75%). A minimum number of clock hours have been set for each of the topics in subsections (1) through (23) below which total 1580. The remaining 1270 clock hours shall be taught in one or more of the topics (subsections (1) through (23)) at the discretion of the institution.

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

1) Anesthesiology/Pain and Anxiety Control: The minimum number of clock hours of didactic instruction shall be fifteen (15). The inclusion of laboratory and/or patient care instruction is optional in meeting this minimum hour requirement. Subtopics include but are not limited to:

- A) Local Anesthesia Techniques
- B) Intravenous Analgesia-Anesthesia Indication/Techniques
- C) Nitrous Oxide Analgesia Indication/Techniques
- D) Hypnosis and Acupuncture

2) Clinical Nutrition: The clock hours of instruction are optional as this material may or may not be taught as a separate topic area. Subtopics include but are not limited to:

- A) Applied Nutrition including Calorimetry
- B) Diet Counseling

3) Community Dentistry/Dental Public Health: The minimum number of clock hours of didactic instruction shall be fifteen (15). The inclusion of laboratory and/or patient care instruction is optional in meeting this minimum hour requirement. Subtopics include but are not limited to:

- A) Forensic Dentistry/Medicine
- B) Principles of Biostatistics and Research Design
- C) Epidemiology of Disease
- D) Professional Ethics
- E) Jurisprudence
- F) History of Dentistry
- G) Extramural/Externship Experiences
- H) Preceptorships
- I) Health Care Economics
- J) Social Issues
- K) Health Care Delivery Systems Quality Assurance and Peer Review

4) Dental Auxiliary Utilization (DAU) Team: The clock hours of instruction are optional as this material may or may not be taught as a separate topic area. Subtopics include but are not limited to:

- A) Motion Economy
- B) Principles of Four Handed Sit-Down Dentistry
- C) Understanding the Dentist's Role in Working with Auxiliaries
- D) Evaluation of the Outcome of the DAU operation
- E) Delegation of Duties

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

F) Evaluation of Expanded Function Dental Auxiliary (EFDA) Performance with Patients Personnel Management

5) Dental Materials Science: The minimum number of clock hours of didactic instruction shall be thirty (30). The inclusion of laboratory and/or patient care instruction is optional in meeting this minimum hour requirement. Subtopics include but are not limited to:

- A) Materials Used Intraorally
- B) Materials Used Extraorally (Gypsum Products, Polishing Agents Used Outside the Mouth, etc.)

6) Dental Emergencies: The clock hours of instruction are optional as this material may or may not be taught as a separate topic area. Subtopics include but are not limited to:

- A) Acute Oral Pain
- B) Acute Oral Infection
- C) Acute Traumatic Injury
- D) Post-operative Complications (Excluding Oral Surgery Complications)

7) General Medical Emergencies: The minimum number of clock hours of didactic instruction shall be five (5). The inclusion of laboratory and/or patient care instruction is optional in meeting this minimum hour requirement. Subtopics include but are not limited to:

- A) Syncope
- B) Drug Reactions and Anaphylaxis
- C) Cardiopulmonary Emergencies
- D) Comas and Convulsions

8) Occlusion: The minimum number of clock hours of didactic instruction shall be twenty (20). The inclusion of laboratory and/or patient care instruction is optional in meeting this minimum hour requirement. Subtopics include but are not limited to:

- A) Growth and Development of Occlusion (Biofunctional Therapy and Habit Patterns)
- B) Dynamics of Mandibular Movement (Anatomy and Physiology of the Stomatognathic System)
- C) Determinants of Occlusion (Neuromuscular, Emotional, etc.)
- D) Classification of Types of Occlusion of the Natural Dentition (Group Function, Cuspid, Guarded, Centric Related)

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF ADOPTED AMENDMENTS

- E) Occlusally Related Pathologies and Their Treatment (Including Temporomandibular Dysfunctions, Relief of Occlusal Interferences)
 F) Articulator Designs
 G) Recording of Mandibular Movement and Occlusal Records
 H) Theories of Occlusion of the Artificial Dentition

9) Pathology - Oral: The minimum number of clock hours of didactic instruction shall be forty-five (45). The inclusion of laboratory and/or patient care instruction is optional in meeting this minimum hour requirement. Subtopics include but are not limited to:

- A) Disturbances of Oral Development and Growth (Including Neoplasia)
 B) Diseases of Microbial Origin (Including Dental Caries and Periodontal Diseases)
 C) Infectious Diseases (Oral, and Systemic with Oral Manifestations)
 D) Oral Injuries and Repair
 E) Oral Aspects of Specific Tissues or Organs (Including Bone, Joints, Blood, Skin, Nerve, and Muscle)
 F) Oral Medicine, Clinical Evaluation or Differential Diagnosis/Disorders of Diseases of Dentition and Periodontium
 G) Clinical Evaluation or Differential Diagnosis of Disorders/Diseases of the Soft Tissues and Bone

10) Physical Evaluation/Data Collection: The minimum number of hours of didactic instruction shall be ten (10). The inclusion of laboratory and/or patient care instruction is optional in meeting this minimum hour requirement. Subtopics include but are not limited to:

- A) Biodata (Identify Age, Sex, Race, Marital Status, etc.)
 B) Clinical Laboratory Examination Evaluation of the Medically Compromised Patient History
 C) Review of Systems - General Examination
 D) Statement of Assessment of Status Pre-Operative Outpatient (P.O.P.)
 E) Vital Signs

11) Tooth Morphology: The minimum number of clock hours of didactic and laboratory instruction shall be thirty (30). Subtopics include but are not limited to:

- A) Primary Dentition

DEPARTMENT OF PROFESSIONAL REGULATION
NOTICE OF ADOPTED AMENDMENTS

- B) Permanent Dentition
 C) Pulpal Morphology
 D) Anatomy of the Investing Tissue
 E) Comparative Dental Anatomy

12) Endodontics: The minimum number of clock hours of didactic, laboratory and patient care instruction shall be one-hundred (100). Subtopics include but are not limited to:

- A) Pulpal Biology
 B) Non-Surgical Endodontics
 C) Surgical Endodontics

13) Hospital Dentistry: The clock hours of instruction are optional as this material may or may not be taught as a separate topic area. Subtopics include but are not limited to:

- A) Hospital Protocol
 B) The Dentist's Role in the Hospital Operating Room Under General Anesthesia Conditions
 C) Hospital Records and the Dentist
 D) Outpatient Care

14) Operative Dentistry: (Single Tooth Restorations In Adults) The minimum number of clock hours of didactic, laboratory and patient care instruction shall be three-hundred (300). Subtopics include but are not limited to:

- A) Basic Procedures (Instruments, Cavity Classification)
 B) Isolation of the Working Field
 C) Treatment of the Moderate and Deep Carious Lesion
 D) Tooth Colored Restorations (Including Filled and Unfilled Resins)
 E) Dental Analgams
 F) Direct Metal (Foil)
 G) Cast Metal Restorations
 H) Restoration of the Endodontically Treated Tooth
 I) Acid Etch Bonding
 J) Ceramic (Including Metal-Ceramic Restorations)

15) Oral Diagnosis: (Treatment Planning, Oral Medicine) The minimum number of clock hours of didactic, laboratory and patient care instruction shall be seventy-five (75). Subtopics include but are not limited to:

- A) Examination of Head, Neck, and Oral Soft Tissues (Excluding Radiographic Examination)

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- B) Diagnosis, Treatment Alternatives
- C) Clinical Examination of Dental and Periodontal Tissues (Excluding Radiographic Examination)
- D) Non-Surgical Management/Alternative of Disorders/Diseases of the Dentition and Periodontium
- E) Non-Surgical Treatment Alternatives of Disorders/Diseases of the Oral Soft Tissue and Bone
- F) Treatment Planning for Disorders/Diseases of the Dentition and Periodontium
- G) Treatment Planning for Disorders/Diseases of the Oral Soft Tissues and Bone

16) Oral Surgery: The minimum number of clock hours of didactic and patient care instruction shall be seventy-five (75). The inclusion of laboratory instruction is optional in meeting this minimum hour requirement. Subtopics include but are not limited to:

- A) Extractions
- B) Impaction Surgery
- C) Soft Tissue Surgery
- D) Hard Tissue Surgery
- E) Preprosthetic Surgery
- F) Post-Operative Complications in Oral Surgical Procedures
- G) Orthognathic Surgery

17) Orthodontics: The minimum number of clock hours of didactic, laboratory and patient care instruction shall be fifty (50). Subtopics include but are not limited to:

- A) Biomechanics
- B) Appliance Design and Fabrication
- C) Treatment of Children
- D) Treatment of Adults
- E) Criteria for Referral and Interactions with Specialists

18) Pediatric Dentistry: The minimum number of clock hours of didactic, laboratory and patient care instruction shall be fifty (50). Subtopics include but are not limited to:

- A) Clinical Dentistry Procedures in Children
- B) Pediatric Restorative Dental Procedures
- C) Space Maintenance
- D) Child Management in Dentistry
- E) Pulp Therapy for the Child Patient

19) Periodontics: The minimum number of clock hours of didactic and

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

patient care instruction shall be one-hundred and fifty (150). The inclusion of laboratory instruction is optional in meeting this minimum hour requirement. Subtopics include but are not limited to:

- A) The Normal Periodontium
- B) Etiology of Periodontal Disease
- C) Periodontal Therapy
- D) Periodontal Maintenance

20) Prevention: The minimum number of clock hours of didactic instruction shall be ten (10). The inclusion of laboratory and/or patient care instruction is optional in meeting this minimum hour requirement. Subtopics include but are not limited to: Primary Preventive Theory and Technique.

21) Prosthodontics - Fixed: The minimum number of clock hours of didactic, laboratory and patient care instruction shall be two-hundred fifty (250). Subtopics include but are not limited to:

- A) Principles of Engineering and Design
- B) Full Coverage Retainers (Porcelain Fused to Metal) for Abutments
- C) Full Coverage Retainers (Cast Metal) for Abutments
- D) Partial Coverage Retainers for Abutments
- E) Precision Attachments for Bridges or Partial Dentures

22) Prosthodontics - Removable: (Complete and Partial) The minimum number of clock hours of didactic, laboratory and patient care instruction shall be three-hundred (300). Subtopics include but are not limited to:

- A) Prosthesis Design
- B) Technical Procedures
- C) Long-Term Maintenance
- D) Maxillofacial Prosthodontics

23) Radiology: (Roentgenology) The minimum number of clock hours of didactic and patient care instruction shall be fifty (50). The inclusion of laboratory instruction is optional in meeting this minimum hour requirement. Subtopics include but are not limited to:

- A) Radiation Physics
- B) Interaction of X-radiation and Matter
- C) Factors Affecting Radiographic Image-Production

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- D) Biological Safety and Production
- E) Intraoral Radiographic Techniques
- F) Extraoral Radiographic Techniques
- G) Interpretation of Radiographs

d) Behavioral Science Component. A total of 38 clock hours are required for fulfillment of the behavioral science component of the dental curriculum (1%). A minimum number of clock hours have been set forth in each of the topics in subsections (1) through (4) below which total 25 clock hours. The remaining 13 clock hours shall be taught in one or more of the topics (subsections (1) through (4)) at the discretion of the institution.

1) Behavioral/Social Sciences Principles of Dental Practice: The minimum number of clock hours of didactic and/or laboratory instruction shall be ten (10). Subtopics include but are not limited to:

- A) Understanding Human Behavior
- B) Management of Human Behavior
- C) Behavior Modification
- D) Patient Management

2) Application of Behavioral Principles to the Clinical Care of the Non-Institutionalized Patients: The clock hours of instruction are optional as this material may or may not be taught as a separate topic area. Special Patient Care Subtopics include but are not limited to:

- A) Mentally/Emotionally Handicapped
- B) Physically Handicapped
- C) Chronically Ill
- D) Homebound
- E) Medically Compromised
- F) Geriatric
- G) Communicable Disease
- H) Culturally Variant (e.g., Minorities, Indigents)

3) Application of Behavioral Principles to the Case of Institutionalized Patients: The clock hours of instruction are optional as this material may or may not be taught as a separate topic area.

4) Practice Administration: The minimum number of clock hours of didactic and/or laboratory instruction shall be fifteen (15). Subtopics include but are not limited to:

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

- A) Professional Practice Development
- B) Personnel Management: Securing, hiring, training intra-office personnel
- C) Managing Relations with Laboratory Technicians
- D) Business Management

e) Electives/Selectives: Courses which are not required of students but are provided as options for individual student enrichment and courses from which a student must choose a given number to satisfy hour or credit requirements for graduation. The clock hours of didactic, laboratory or patient care instruction are optional and may be used as a portion of the total clock hours of the curriculum not specifically required for basic, clinical or behavioral science instruction.

f) Specific Clinical Requirements

1) Endodontics: The minimal clinical patient care experience required for each graduate includes four (4) endodontic cases. One (1) of which is a posterior tooth and one (1) of which is necessitated for the relief of pain and/or swelling associated with pulpal disease.

2) Operative Dentistry: The minimal clinical patient care experience required for each graduate includes the following single tooth restorations in adults:

- A) Eight (8) Inlays/onlays
- B) Eight (8) one surface amalgams
- C) Eight (8) two surface amalgams
- D) Ten (10) composites
- E) Five (5) amalgam pre-retained "buildups"
- F) Metal foil restorations are optional

3) Oral Diagnosis: The minimal clinical patient care experience required for each graduate includes comprehensive treatment planning for four (4) patients.

4) Oral Surgery: The minimal clinical patient care experience required for each graduate includes the extraction of three (3) anterior and three (3) posterior teeth.

5) Orthodontics: The minimal clinical patient care experience required for each graduate includes the diagnosis and documentation of one (1) orthodontic case.

6) Pediatric Dentistry: The minimal clinical patient care experience required for each graduate includes the completion of

DEPARTMENT OF PROFESSIONAL REGULATION

NOTICE OF ADOPTED AMENDMENTS

comprehensive care for four (4) pediatric patients or 75 clock hours of pediatric care.

7) Periodontics: The minimal clinical patient care experience required for each graduate includes the following procedures:

- A) Comprehensive Periodontal therapy on three (3) patients
- B) Scaling and root planning of twelve (12) quadrants i.e., eighty-four (84) teeth (may include curettage)
- C) Periodontal surgery of four (4) quadrants i.e., twenty-eight (28) teeth (one procedure must include flap and osseous surgery)
- D) Equilibration for one periodontal patient (may include occlusal appliance, temporary splinting or appliance for minor tooth movement)

8) Prosthodontics-Fixed: The minimal clinical patient care experience required for each graduate includes six (6) units of fixed prosthetics replacing either an anterior or posterior tooth or teeth.

9) Prosthodontics-Removable: The minimal clinical patient care experience required for each graduate includes the following procedures:

- A) One (1) full upper and lower denture
- B) One (1) full upper denture occluding against a lower partial denture
- C) One (1) partial denture occluding against a natural dentition
- D) One (1) full or partial denture repair and/or reline

10) Radiology (Roentgenology): The minimal clinical patient care experience required for each graduate includes four (4) cases in which full mouth intra-oral radiographs (including bite wings) were taken, processed and mounted.

g) In determining whether a program should be approved, the Department shall take into consideration but not be bound by accreditation by the Commission on Dental Accreditation of the American Dental Association.

h) The Department, upon the recommendation of the Board, has determined that all of the dental programs accredited by the Commission on Dental Accreditation of the American Dental Association as of January 1989, meet the minimum curriculum criteria set forth in subsections (a) and (b) above and are, therefore, approved.

(Source: Amended at 13 Ill. Reg. 15043, effective September 11, 1989)

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

- 1) The Heading of the Part: Illinois Competitive Access and Reimbursement (ICARE) Program
- 2) Code Citation: 89 Ill. Adm. Code 149
- 3) Section Number: Adopted Action:
149.100
Amendment
- 4) Statutory Authority: Section 3-4 of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987, Ch. 111 1/2, Par. 6503-4)
- 5) Effective Date of Amendment: September 15, 1989
- 6) Does this rulemaking contain an automatic repeal date?
Yes X No
- 7) Does this amendment contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: September 15, 1989
- 9) Notice of Proposal Published in Illinois Register: March 24, 1989 (13 Ill. Reg. 3553)
- 10) Has JCAR issued a Statement of Objections to this rule? No
- 11) Difference between proposal and final version: None
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR? Yes
- 13) Will this Amendment replace an Emergency Amendment currently in effect? No
- 14) Are there any Amendments pending on this Part? No
- 15) Summary and Purpose of Amendment: This revision removes the requirements for hospitals to submit documentation to the Department during ICARE negotiations associated with disproportionate share. Under a prior requirement, the Department reviewed this documentation for special consideration during ICARE negotiations. This requirement was removed in accordance with Public Act 85-1262, resulting from House Bill 4174.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

- 16) Information and questions regarding this Adopted Amendment shall be directed to:

Name:

Anita Williams, Staff Attorney
Office of the General Counsel

Address:

Illinois Department of Public Aid
Jesse B. Harris Building II
100 South Grand Avenue East, 3rd Floor
Springfield, Illinois 62762

Telephone:

(217) 782-1233

The full text of the Adopted Amendment begins on the next page:

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

TITLE 89: SOCIAL SERVICES
CHAPTER I: DEPARTMENT OF PUBLIC AID
SUBCHAPTER d: MEDICAL PROGRAMS

PART 149

ILLINOIS COMPETITIVE ACCESS AND REIMBURSEMENT
EQUITY (ICARE) PROGRAM

Section 149.5	Illinois Competitive Access and Reimbursement Equity (ICARE) Program
149.25	Definition of Terms
149.50	Notification of Negotiations
149.75	Hospital Participation in ICARE Program Negotiations
149.100	Negotiation Procedures
149.105	Factors Considered In Awarding ICARE Contracts
149.125	Closing an ICARE Area
149.150	Administrative Review
149.175	Payments to Contracting Hospitals
149.200	Admitting and Clinical Privileges
149.205	Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment
149.225	Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program
149.250	Contract Monitoring
149.275	Transfer of Recipients
149.300	Validity of Contracts
149.305	Termination of ICARE Contracts
149.325	Hospital Services Procurement Advisory Board

AUTHORITY: Implementing Article II of the Illinois Health Finance Reform Act (Ill. Rev. Stat. 1987, ch. 111 1/2, par. 6503-1 et seq.) and implementing and authorized by Articles III, IV, V, VI, VII and Section 12-13 of the Illinois Public Aid Code (Ill. Rev. Stat. 1987, ch. 23, pars. 3-1 et seq., 4-1 et seq., 5-1 et seq., 6-1 et seq., 7-1 et seq., and 12-13)

SOURCE: Recodified from 89 Ill. Adm. Code 140.940 thru 140.972 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. at 12095, effective July 15, 1988; amended at 13 Ill. Reg. 554, effective January 1, 1989; amended at 13 Ill. Reg. 15070, effective September 15, 1989.

NOTE: CAPITALIZATION DENOTES STATUTORY LANGUAGE.

Section 149.100 Negotiation Procedures

- a) Contract negotiations will be conducted by the

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Section 149.100 Negotiation Procedures (Cont'd)

Department's Contracting Officer or a person designated in writing by the Contracting Officer to act in his behalf and no more than three (3) representatives of the negotiating hospital or group of hospitals. No more than three Department representatives, including the Contracting Officer or his designee, may be present at any meeting at which negotiations may occur. To assure the confidentiality of the negotiating process and to protect proprietary or confidential or privileged commercial or financial information which is disclosed during negotiations, no individual, corporation, company, partnership, association or other entity may represent at any negotiation session or meeting with the Department more than one negotiating hospital or group of hospitals in any negotiations carried out under the ICARE program. This subsection does not preclude any such individual, corporation, company, partnership, association or other entity from continuing to represent a hospital or group of hospitals in any renegotiation proceedings concerning such hospital or group of hospitals, nor does it preclude any such individual, corporation, company, partnership, association or other entity from representing more than one hospital in cases where a group of hospitals negotiates to provide inpatient hospital care as a single contracting entity pursuant to Section 89 Ill. Adm. Code 140.946 or where such representation is performed for more than one hospital where such hospitals are owned by a common owner or managed by the same corporate management service.

- b) The Department will notify of the first meeting date by telephone communication, confirmed by certified or registered mail, return receipt requested, each hospital which has notified the Department of its interest in participation within ten (10) calendar days after receipt of the Department's written notification of the opening of an ICARE area under Section 149.50. The first meeting is designed to familiarize the hospital with the ICARE program, explain the negotiating and contracting process, respond to questions the hospital or hospitals may have regarding the ICARE program, and allow the Department negotiator and hospital representative or representatives to become acquainted. Nothing herein

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Section 149.100 Negotiation Procedures (Cont'd)

shall prevent the institution of preliminary or initial negotiations during the first meeting.

- c) The Department shall provide each hospital, which has notified the Department within ten (10) calendar days of its interest in participation under Section 149.50, with a copy of proposed contract provisions prior to the first meeting by mailing such proposed contract provisions with written notice of the date of the first meeting.

- d) No later than the first meeting date, the hospital or hospitals shall submit to the Department a completed Provider Data Sheet to enable the Department to assure its receipt and examination of the information it must consider under Section 149.105(a). The Department shall furnish with its initial notification to hospitals of intent to open negotiations the form of such Provider Data Sheet. The Provider Data Sheet shall require:

- 1) Identification of the types and the quantities of services which the hospital believes to be specialized services that have been provided to recipients during the most recent two completed state fiscal years;
- 2) Identification of all types of services intended to be offered under contract which the hospital has not provided to recipients during the two most recent completed state fiscal years and documentation of the capacity to provide such services by category;
- 3) Identification of the types and severity of illness of patients treated by the hospital and complexity of care provided by the hospital to patients during the two most recent completed state fiscal years;
- 4) The amount and sources of net patient revenue, the hospital receives, or should receive, for the most recent completed fiscal year for which financial reports audited by an independent certified public accountant are available to assess the percentage of net patient revenue from-

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Section 149.100 Negotiation Procedures (Cont'd)

~~medical-assistance-Medicare-free-governmental-units-bad-debt-and-free-care,~~

5+4) Financial data which identifies the sources and amounts of direct teaching costs as defined under Medicare and the allocation of a portion of those direct teaching costs to the Medical Assistance Program;

6+5) Terms of all existing labor-management collective bargaining agreements covering hospital employees.

e) After the first meeting and receipt from each hospital of its decision to participate in the ICARE Program as either a member of a group of hospitals or as an individual hospital under Section 149.75(c), the Department shall notify each hospital by certified or registered mail, return receipt requested, of the second meeting date. The purpose of the second meeting is to allow the hospital or group of hospitals to present and interpret terms and price and to identify the representative who has authority to bind the hospital or group of hospitals in the event of subsequent communications and negotiations. The representative who has authority to bind the hospital or group of hospitals shall be present at the second meeting and any subsequent meetings.

f) 1) Prior to conclusion of the second meeting, the hospital or group of hospitals shall have the opportunity to present other material relevant to Section 149.105 that it would like to have considered in the Department's evaluation of its firm and binding offer, and shall submit for negotiating purposes to the Department a firm and binding offer to supply inpatient hospital care under the ICARE program. Such firm and binding offer shall be complete in all respects including rates to be paid by the Department for care rendered under the ICARE Program.

2) Prior to the conclusion of the second meeting, the hospital or group of hospitals shall provide written procedures for the timely admission of recipients being transferred from either a contracting or non-contracting hospital. Such

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Section 149.100 Negotiation Procedures (Cont'd)

procedures shall be reviewed and approved by the Department prior to the execution of an ICARE contract.

g) Written confirmation of the hospital's or group's firm and binding offer submitted at the second meeting and any relevant additional information which was requested by the Department during the first or second meeting must be received by the Department within ten (10) calendar days of the conclusion of the second meeting.

1) The content of the first and second meetings and any subsequent meetings is strictly privileged and confidential and any documents, minutes, data, communications or other similar material and information held by the Department is exempt from the inspection and copying requirements of The Freedom of Information Act (Ill. Rev. Stat. 1984-Supp. 1987, ch. 116, par. 201 et seq.). The conduct of the first and second meetings and any subsequent meetings and the contents thereof shall not be subject to the provisions of the Open Meetings Act (Ill. Rev. Stat. 1983 1987, ch. 102, par. 41 et seq.).

2) Except as explicitly agreed to by the Department and a hospital or group of hospitals, the contents of all meetings, including the first, second and any subsequent meetings and communications in the course of negotiating and arriving at terms of a contract under the ICARE Program shall be strictly privileged and confidential. In the event that documents, minutes, data, communications or other similar material and information held by a party to negotiations or to a contract are sought by a third party through administrative process, court order or other similar administrative or judicial mechanisms, the party subject to such attempt shall immediately notify the other party and allow such other party to contest such attempt jointly or of its own accord.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Section 149.100 Negotiation Procedures (Cont'd)

- 3) During the first meeting all hospitals shall individually execute for the Department a document in which the hospital shall:
- A) pledge to maintain the confidentiality of the content of all meetings and all communications in the course of negotiating and arriving at contract terms except as thereafter explicitly agreed to by the Department and hospital; and
 - B) agree to enforcement of such a pledge through the issuance of a preliminary or permanent injunction or other order by a court of competent jurisdiction in any action brought by the Department for such purpose.
- 4) During the first meeting at which a group of hospitals meets with the Department for purposes of negotiating as a single contracting entity, the group's designated representative shall execute for the Department a document in which the hospital shall:
- A) pledge to maintain the confidentiality of the content of all meetings and all communications in the course of negotiating and arriving at contract terms except as thereafter explicitly agreed to by the Department and hospital; and
 - B) agree to enforcement of such a pledge through the issuance of a preliminary or permanent injunction or other order by a court of competent jurisdiction in any action brought by the Department for such purpose.
- 5) During the course of the first and second meetings and any other subsequent meetings, both the representatives of the Department and the hospital or group of hospitals may take written notes, but no other record keeping by methods such as stenographic transcript or tape recording shall be permitted.

DEPARTMENT OF PUBLIC AID

NOTICE OF ADOPTED AMENDMENT

Section 149.100 Negotiation Procedures (Cont'd)

- 6) Any contract executed as a result of negotiations under the ICARE Program may be inspected or copied pursuant to the The Freedom of Information Act (Ill. Rev. Stat. 1984-Supp. 1987, ch. 116, par. 201 et seq.), upon the certification by the Department that all contracts to be negotiated under the ICARE Program in all ICARE areas designated by the Department for contract negotiations have been executed.
- h) The Department, in considering determinations of the Board, shall specify in writing to the Board the points relied upon in any instance in which the Department's conclusion as to the advisability of entering into a contract is contrary to that of the Board. Such written recitation of points is part of the contract negotiating process and, as such, the Board may receive and deliberate upon such written recitation in closed session. Such written recitation is exempt from the inspection and copying requirements of the The Freedom of Information Act (Ill. Rev. Stat. 1984-Supp. 1987, ch. 116, par. 201 et seq.).
 - i) Written determinations both to grant contracts and to the specific provisions in such contracts shall be made by the Department to the Board for each hospital or group of hospitals within an ICARE area no less than 45 days prior to the effective date of the contracts.

(Source: Amended at 13 Ill. Reg. 15070, effective September 15, 1989)

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

1) Heading of the Part:

Newborn Metabolic Screening and Treatment Code

2) Code Citation:

77 Ill. Adm. Code 661

3) Section Numbers:

661.10
661.15
661.20
661.30
661.35
661.40
661.50

Adopted Action:

Amendments
Amendments
Amendments
Amendments
Amendments
Amendments

4) Statutory Authority:

"AN ACT concerning the disease of phenylketonuria and other metabolic diseases, designating certain powers and duties in relation thereto, providing penalties for violation thereof, to repeal an Act therein named and to make an appropriation in connection therewith." Ill. Rev. Stat. 1987, ch. 111 1/2, par. 4903 et seq.

5) Effective Date of Rules:

October 1, 1989

6) Does this Rulemaking Contain an Automatic Repeal Date? Yes ☐ No ☒

If "yes," please specify date:

7) Does this Rulemaking Contain Any Incorporations by Reference?Yes ☐ No ☒If "yes," please specify type: 6.02(a) ☐ or 6.02(b) ☐If "6.02(b)," was a copy of the approval form issued by the Joint Committee attached to this rulemaking? Yes ☐ No ☐8) Date Filed in Agency's Principal Office:

October 1, 1989

9) Date Notice(s) of Proposal was Published in Illinois Register:

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

March 24, 1989 - 13 Ill. Reg. 3599

10) Has the Joint Committee on Administrative Rules issued a Statement of Objections to this/these Rules? Yes ☐ No ☒

If "yes," please complete the following:

A) Statement of Objection: ☐ Ill. Reg. ☐B) Agency Response: ☐ Ill. Reg. ☐C) Date Agency Response Submitted for Approval to the Joint Committee:11) Difference Between Proposal and Final Version:

The following changes were made in response to comments received during the first notice or public comment period:

None.

The following changes were made in response to comments and suggestions of the Joint Committee on Administrative Rules:

To replace the term "designated clinician" with the term "designated consultant" in Section 661.30(f)(1)(A).

To replace the term "designated clinician" with the term "designated consultant" in Section 661.30(f)(1)(B).

To replace the word "major" with the word "predominant" in Section 661.30(f)(1)(D).

In addition, various typographical, grammatical and form changes were made in response to the comments from the Administrative Code Division and the Joint Committee on Administrative Rules.

Have all the changes agreed upon by the Agency and the Joint Committee been made as indicated in the agreement letter issued by the Joint Committee?

The Department has made all the changes to which it agreed with the Joint Committee.

13) Will the Rules Replace an Emergency Rule Currently in Effect?Yes ☐ No ☒

DEPARTMENT OF PUBLIC HEALTH

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

NOTICE OF ADOPTED AMENDMENTS

- 14) Are there any other Amendments Pending on this Part? Yes No X

If Yes:

Section Numbers	Proposed Action	Ill. Reg. Citation
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- 15) Summary and Purpose of Rules:

The existing Program screens all newborns in Illinois for biotinidase deficiency, congenital adrenal hyperplasia, galactosemia, congenital primary hypothyroidism and phenylketonuria. The Program also provides comprehensive follow-up services to all infants at risk and/or diagnosed with one of the above disorders. Current rules describe the responsibility; collection of blood and submission of specimens; interpretation of results; designation of consultants; reports; diagnosis and treatment; and fee for service necessary to fulfill the Department's obligation for fulfilling the newborn screening mandate.

The first change will allow the screening of newborn infants' blood for sickle cell disease/trait; and the second, changing the timing of submission of specimens to the laboratory from 72 hours to 48 hours.

The addition of sickle cell disease/trait screening to the Rules will provide the Department assurance that all newborns are screened and allow monitoring for compliance in providing optimal preventive health care to infants at risk.

The second change will substantially lower the number of poor specimens which must be repeated and shorten the turnaround time for reporting critical results. This is especially important in screening for congenital adrenal hyperplasia and galactosemia when an affected baby can become critically ill in a very short time.

The proposed amendments will impact on every child bearing family as well as all hospitals and facilities providing maternal and child care services.

- 16) Information and Questions regarding this Adopted Rulemaking shall be directed to:

Mr. Robert John Kane, Division of Governmental Affairs, Department of Public Health, 525 West Jefferson, Second Floor, Springfield, Illinois 62761, 217/782-6187.

The full text of the Adopted Amendments begins on the next page:

TITLE 77: PUBLIC HEALTH
CHAPTER I: DEPARTMENT OF PUBLIC HEALTH
SUBCHAPTER 1: MATERNAL AND CHILD HEALTH

PART 661
NEWBORN METABOLIC SCREENING AND TREATMENT CODE

Section	
Responsibility	661.10
Definitions	661.15
Collection of Blood and Submission of Specimens	661.20
Interpretation of Results	661.30
Designation of Consultants	661.35
Reports	661.40
Diagnosis and Treatment	661.50
Exemption	661.60
Fee Assessment and Payment	661.70

AUTHORITY: Implementing and authorized by "AN ACT concerning the disease of phenylketonuria and other metabolic diseases, designating certain powers and duties in relation thereto, providing penalties for violation thereof, to repeal an Act therein named and to make an appropriation in connection therewith." (Ill. Rev. Stat. 1987, ch. 111 1/2, pars. 4903 et seq.).

SOURCE: Adopted December 14, 1973; emergency rules at 3 Ill. Reg. 28, p. 224, effective June 28, 1979; rules repealed and new rules adopted at 3 Ill. Reg. 48, p. 42, effective November 20, 1979; amended at 5 Ill. Reg. 4593, effective April 15, 1981; amended and codified at 8 Ill. Reg. 19041, effective September 26, 1984; amended at 11 Ill. Reg. 12921, effective August 1, 1987; amended at 13 Ill. Reg. 15079, effective October 1, 1989.

Section 661.10 Responsibility

- a) The physician in attendance at or immediately after the birth of the newborn infant shall have primary responsibility for seeing that a specimen of the infant's blood is screened in accordance with this Part. Newborn screening consists of testing for phenylketonuria (PKU), primary hypothyroidism, galactosemia, congenital adrenal hyperplasia, and biotinidase deficiency and sickle cell disease/trait. A single blood specimen meeting the requirements for testing for phenylketonuria (See Section 661.20) shall suffice for these tests. The physician may delegate this responsibility to the hospital administrator or to the administrator's designated representative, such as a member of the pediatrics staff, the laboratory director, the obstetrical supervisor, or other hospital official. When a retest is determined to be necessary pursuant to Section 661.30 of this Part, the Illinois Department of Public Health shall notify the

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

physician or his designee who is responsible for obtaining another specimen and having the specimen tested.

- b) If the infant is not born in or admitted to a hospital or when there is no physician in attendance at or immediately after the birth, the physician caring for the infant during the first month of life shall be the individual responsible for seeing that a blood specimen for newborn screening is submitted. When there is no physician caring for such an infant during this period, the parents or guardian are responsible. Local or state health authorities shall assist the parents or guardian in having a blood specimen submitted for testing.

- c) All specimens collected pursuant to this Part shall be submitted for testing to the Metabolic Diseases Section, Division of Laboratories, Illinois Department of Public Health, 2121 West Taylor Street, Chicago, Illinois 60612.

(Source: Amended at 13 Ill. Reg. 15079, effective October 1, 1989)

Section 661.15 Definitions

"Act" means "AN ACT concerning the disease of phenylketonuria and other metabolic diseases, designating certain powers and duties in relation thereto, providing penalties for violation thereof, to repeal an Act therein named and to make an appropriation in connection therewith." (Ill. Rev. Stat. 19851987, ch. 111 1/2, pars. 49013 et seq.).

"Advisory Committee" means the Genetic and Metabolic Diseases Advisory Committee appointed by the Director.

"Department" means the Department of Public Health.

"Director" means the Director of the Department of Public Health.

"Newborn Screening" or "testing" means the testing of a blood sample for phenylketonuria (PKU), primary hypothyroidism, galactosemia, congenital adrenal hyperplasia, and biotinidase deficiency and sickle cell disease/trait.

"PKU" means phenylketonuria.

"Using known statistical techniques" means a standard is developed on each batch rather than using a constant known standard.

(Source: Amended at 13 Ill. Reg. 15079, effective October 1, 1989)

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

Section 661.20 Collection of Blood and Submission of Specimens

Newborn Screening shall be performed on a single blood specimen which meets the following requirements of testing for phenylketonuria.

- a) Every infant regardless of age shall have a specimen collected prior to discharge from the hospital.
- b) Infants who leave the hospital before they are at least 48 hours of age shall have a blood specimen drawn for testing before discharge. A second blood specimen for testing shall be obtained on such infants before the third week of life by the attending physician or his designee as provided in Section 661.10(a).
- c) Specimens shall be collected no earlier than 48 hours after birth from those infants not discharged before 48 hours of age.
- d) Specimens from infants requiring parenteral feeding or from premature infants should be obtained after their condition has stabilized as determined by the attending physician. It is suggested that such infants be tested initially on or near the 7th day of life.
- e) For infants not born in hospitals or not admitted to a hospital during the neonatal period (under 28 days of age), a blood specimen shall be collected before the third week of life and no earlier than 48 hours after birth.

- f) The completed collection form (See Section 661.40) with a blood specimen shall be submitted for testing to the Metabolic Diseases Section, Division of Laboratories, Illinois Department of Public Health, 2121 West Taylor Street, Chicago, Illinois 60612.

- g) Blood specimens must be submitted to the laboratory no later than 7248 hours after collection and shall be examined by the laboratory within five days of receipt.

(Source: Amended at 13 Ill. Reg. 15079, effective October 1, 1989)

Section 661.30 Interpretation of Results

- a) Phenylketonuria

- 1) A phenylalanine level below 4 mg/dl (milligram/deciliter) is considered negative for PKU and no action is necessary.
- 2) When the blood level is 4 mg/dl or above, there is the possibility of phenylketonuria. The Illinois Department of

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

Public Health shall notify the infant's physician or his designee immediately by telephone.

- A) If the repeat test is below 4 mg/dl, the test will be considered negative and no action is necessary.
- B) If the repeat test is again 4 mg/dl or above, the case shall be referred to a designated consultant for a quantitative phenylalanine determination and other diagnostic studies as determined by the consultant.

b) Primary Hypothyroidism

- 1) Neonatal levels for thyroid stimulating hormone (TSH) vary with gestational age, birthweight, time of collection and in response to concurrent medical problems. Normal TSH levels shall be established using known statistical techniques.
- 2) When the TSH determination is deemed to be above normal, a second TSH, and also a thyroxin (T4), determination shall be performed on the same sample. If the second TSH determination is high, the physician or his designee shall be notified immediately by telephone by the Illinois Department of Public Health. The Department shall recommend referral of the infant to a designated pediatric endocrinologist for further evaluation for primary hypothyroidism and additional serum testing for thyroid function when high levels are found.

c) Galactosemia

- 1) Laboratory tests for galactosemia are designed to detect a deficiency of the galactose 1 phosphate uridy] transferase enzyme. Normal test results indicate the presence of the enzyme. Test results are abnormal when the presence of the enzyme is not indicated.
- 2) When the first determination of the enzyme is deemed abnormal, a second determination shall be performed on the same sample. If the second determination is abnormal, the physician or his designee shall be notified immediately by telephone by the Department and recommendations shall be given to change the diet of the infant to a lactose free diet. A second specimen shall be resubmitted on filter paper.
- 3) If the submitted specimen is again abnormal, the case shall be referred to a designated consultant for a quantitative

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

determination of the enzyme and further diagnostic studies.
Congenital Adrenal Hyperplasia (secondary to 21-hydroxylase deficiency)

- 1) Neonatal levels for 17-hydroxyprogesterone vary with gestational age, birthweight, time of collection and in response to concurrent medical problems. Normal 17-hydroxyprogesterone levels shall be established using known statistical techniques.
- 2) When the 17-hydroxyprogesterone determination is deemed to be above normal, a second 17-hydroxyprogesterone, determination shall be performed on the same sample. If the second 17-hydroxyprogesterone determination is high, the physician or his designee shall be notified immediately by telephone by the Illinois Department of Public Health. The Department shall recommend referral of the infant to a designated pediatric endocrinologist for further evaluation for congenital adrenal hyperplasia and additional serum testing when high levels are found.

e) Biotinidase Deficiency

- 1) Laboratory tests for biotinidase deficiency are designed to detect a deficiency of the biotinidase enzyme. Normal test results indicate the presence of the enzyme. Test results are abnormal when the presence of the enzyme is not indicated.
- 2) When the first determination of the enzyme is deemed abnormal, a second determination shall be performed on the same sample. If the second determination is abnormal, the physician or his designee shall be notified immediately by telephone. A second specimen shall be resubmitted on filter paper.
- 3) If the resubmitted specimen is again abnormal, the case shall be referred to a designated consultant for a quantitative determination of the enzyme and further diagnostic studies.

f) Sickle Cell Disease/Trait

A test will be used to determine the presence of the hemoglobins A, F, S, C and other hemoglobins.

- 1) When F and S hemoglobins are detected on the same

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

specimen the Department shall recommend referral to a designated consultant for follow-up and counseling.

- 2) When F, S and C hemoglobins are detected on the same specimen the Department shall recommend referral to a designated consultant for follow-up and counseling.
- 3) When F, A and C hemoglobins or F, A and S hemoglobins are detected on the same specimen the Department shall recommend counseling by the physician or another qualified counselor.
- 4) When adult A hemoglobin is detected as the predominant component and the specimen was collected at less than 2 weeks of age it will be assumed that the infant received a blood transfusion and a report indicating such will be made. A specimen should be drawn from all such infants after 3 months.

(Source: Amended at 13 Ill. Reg. 15079, effective October 1, 1989)

Section 661.35 Designation of Consultants

- a) The Chief of the Division of Family Health with the advice of the Director of the Division of Services for Crippled Children University of Illinois, and the Advisory Committee, shall designate and distribute lists of qualified professionals to serve as Consultants to specified subprograms within the Genetic Diseases Program.
- b) Equivalency in all qualifications specified in this section shall be determined by the Chief of the Division of Family Health with the advice of the Director of the Division of Services for Crippled Children University of Illinois, and the Advisory Committee.
- c) The minimum qualifications required for designation as a consultant are a license to practice medicine in all its branches in Illinois, certification by the American Board of Pediatrics or equivalent board from another country and employment within a medical school setting. In addition, to be designated to serve specified subprograms, Consultants shall also have the following qualifications:
 - 1) Phenylketonuria (PKU): shall have at least three years experience in diagnosis and treatment of cases with PKU and inborn errors of metabolism, and shall have available on a daily basis, a support staff of nutritionists and social workers who are experienced in and assigned to the treatment

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF ADOPTED AMENDMENTS

of these children with phenylalanine restricted diets.

- 2) Primary Hypothyroidism: shall have training in pediatric endocrinology with membership in the Lawson Wilkins Pediatric Endocrinology Society or certification of special competence in Pediatric Endocrinology by the American Board of Pediatrics or an equivalent board from another country.
- 3) Galactosemia: shall have at least three years of experience in diagnosis and treatment of children with galactosemia and inborn errors of metabolism.
- 4) Congenital Adrenal Hyperplasia: shall have training in Pediatric Endocrinology with membership in the Lawson Wilkins Pediatric Endocrinology Society or certification of special competence in Pediatric Endocrinology by the American Board of Pediatrics or an equivalent board from another country.
- 5) Biotinidase Deficiency: shall have at least three years of experience in the diagnosis and treatment of children with biotinidase deficiency and inborn errors of metabolism.
- 6) Sickle Cell Disease: shall have training in pediatric hematology.

(Source: Amended at 13 Ill. Reg. 15079, effective October 1, 1989)

Section 661.40 Reports

- a) Only collection forms with attached filter paper blood collectors supplied by the Division of Laboratories, Illinois Department of Public Health, 2121 West Taylor Street, Chicago, Illinois 60612 are to be used in submitting blood specimens for newborn screening.
- b) Any hospital performing the required newborn screening tests in addition to submitting specimens to the Illinois Department of Public Health Laboratory shall comply with all requirements of this Part, and shall notify the Illinois Department of Public Health immediately by telephone whenever:
 - 1) the initial and repeat phenylalanine levels are 4 mg/dl or above;
 - 2) the initial and repeat T4 determinations are low or TSH determinations are high;
 - 3) the initial and repeat galactose 1 phosphate uridy

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

- transferase determinations are abnormal-;:
- 4) the initial and repeat 17-hydroxyprogesterone determinations are high;
 - 5) the initial and repeat biotinidase enzyme determinations are abnormal-;:
 - 6) the presence of A, F, S and C hemoglobins are detected.

(Source: Amended at 13 Ill. Reg. 15079, effective October 1, 1989)

Section 661.50 Diagnosis and Treatment

The Department shall maintain a registry to record the results of diagnosis and treatment for those cases in which abnormal findings were noted on the screening tests.

a) Phenylketonuria

Dietary therapy shall not be instituted until a quantitative serum phenylalanine determination to corroborate the positive screening test has been performed under the direction of a designated consultant to establish the diagnosis of phenylketonuria. The necessary medically prescribed treatment product shall be supplied by the Department for diagnosed cases as long as medically indicated. Long term follow up of phenylketonuria children is necessary to adjust diet and to assess growth and development.

- b) Primary Hypothyroidism Replacement therapy with thyroid hormone is required. Long term follow up of primary hypothyroid children is necessary in order to adjust medication and to assess growth and development.

- c) Galactosemia Therapy with a lactose free diet is required.
Long Term follow up of children with galactosemia is necessary in order to ensure proper growth and development.

- d) Congenital Adrenal Hyperplasia

Replacement therapy with corticosteroids is required. Long-term follow-up of congenital adrenal hyperplasia children is necessary in order to adjust medications and to assess growth and development. Other medications may be necessary.

- e) Biotinidase Deficiency

Therapy with biotin is required. Long-term follow-up of children

DEPARTMENT OF PUBLIC HEALTH
NOTICE OF ADOPTED AMENDMENTS

with biotinidase deficiency is necessary in order to ensure proper growth and development.

- f) Sickle Cell Disease/Trait

Antibiotic prophylaxis is required after a definitive diagnosis has been made of sickle cell disease by a designated consultant. For families of infants with sickle cell trait every effort shall be made to assure that genetic and supportive counseling is available.

(Source: Amended at 13 Ill. Reg. 15079, effective October 1, 1989)

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 1) Heading of the Part: Non-Homemaker Service Provider Requirements
- 2) Code Citation: 89 Ill. Adm. Code 714
- 3) Section Numbers: Adopted Action:
714.10 amendment
714.20 amendment
714.30 amendment
714.40 new section
- 4) Statutory Authority: Implementing and authorized by Section 3(g) of "AN ACT in relation to rehabilitation of disabled persons" (Ill. Rev. Stat. 1987, ch. 23, par. 3434(g))
- 5) Effective Date of Rule(s) (Amendments, Repealer): September 8,
- 6) Does this rulemaking contain an automatic repeal date?
Yes ☐ No ☒
- 7) Does this rule (amendment, repealer) contain incorporations by reference? No
- 8) Date Filed in Agency's Principal Office: August 31, 1989
- 9) Notice of Proposal Published in Illinois Register:
March 31, 1989, 13 Ill. Reg. 4152
(issue date)

- 10) Has JCAR Issued a Statement of Objections to this (these) Rule(s)? No If answer is "yes," please complete the following:

- A) Statement of Objection: (issue date), Ill. Reg. _____
- B) Agency Response: (issue date), Ill. Reg. _____
- C) Date Agency Response Submitted for Approval to JCAR:

- 11) Difference(s) between proposal and final version: Pursuant to agreements made with the Administrative Code Division and the Joint Committee on Administrative Rules, the following changes have been made:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

1. The Subpart heading is shown in the text.
2. The edition year has been included in the Ill. Rev. Stat. citation.
3. Subchapter "b" was changed in Subchapter "d" in the heading.
- 12) Have all the changes agreed upon by the agency and JCAR been made as indicated in the agreement letter issued by JCAR?
Yes
- 13) Will this rule replace an Emergency Rule(s) currently in effect? No
- 14) Are there any amendments pending on this Part: Yes

Section Numbers	Proposed Action	Illinois Register Citation
714.110	amendment	13 Ill. Reg. 12947
714.130	new section	
714.300	amendment	
714.310	amendment	
714.320	new section	

- 15) Summary and Purpose of Rule(s): These amendments change the name of the Home Services' Emergency Response Service to Electronic Home Response Services and provide requirements for the EHRS providers.

- 16) Information and answers to questions regarding this adopted rule shall be directed to:

Ms. Leigh Reed
Regulations and Procedures Section
Department of Rehabilitation Services
P.O. Box 19429
Springfield, Illinois 62794-9429
Telephone number: (217) 785-3896
T.D.D.: (217) 782-5734

The full text of Adopted Rule(s) begins on the next page:

DEPARTMENT OF REHABILITATION SERVICES
NOTICE OF ADOPTED AMENDMENTSTITLE 89: SOCIAL SERVICES
CHAPTER IV: DEPARTMENT OF REHABILITATION SERVICES
SUBCHAPTER d: HOME SERVICES PROGRAMNON-HOMEMAKER SERVICE PROVIDER REQUIREMENTS
PART 714SUBPART A: EMERGENCY ELECTRONIC HOME RESPONSE SERVICES
PROVIDER VENDOR REQUIREMENTSSection
714.10
714.20

Minimum Performance Standards
Emergency Electronic Home Response Center (EHRC)
Equipment Specifications (Central Station Receiving
Equipment)
Emergency Electronic Home Response Service (EHRS) Home
Unit Specifications
Compliance Requirements

SUBPART B: DAY CARE SERVICE PROVIDER REQUIREMENTS

Section
714.100
714.110
714.120

Staffing of Adult Day Care Service Component
Standard Requirements for Adult Day Care Providers
Adult Day Care Staff Positions, Qualifications and
Responsibilities

SUBPART C: PERSONAL CARE PROVIDER REQUIREMENTS

Section
714.310

Personal Care Attendant (PCA) Agreement
AUTHORITY: Implementing and authorized by Section 3(g) of "AN
ACT in relation to rehabilitation of disabled persons" (Ill.
Rev. Stat. 1985, ch. 23, par. 3434(g))

SOURCE: Adopted at 11 Ill. Reg. 7413, effective April 7, 1987;
amended at 13 Ill. Reg. 8911, effective May 26, 1989; amended at
13 Ill. Reg. 15091, effective September 8, 1989.

SUBPART A: EMERGENCY ELECTRONIC HOME RESPONSE SERVICES
PROVIDER VENDOR REQUIREMENTS

Section 714.10

Minimum Performance Standards

- a) An Emergency Electronic Home Response Service (EHRS)
vendor provider employee or volunteer installs the home
unit, tests it and instructs the client in its use.

NOTICE OF ADOPTED AMENDMENTS

These functions may not be subcontracted. The vendor
provider must be able to meet emergency needs for
service and provide service within 48 hours from the
initial referral.

- b) The EHRS vendor provider and client arrange for several
local emergency responders acceptable to the client and
the EHRS vendor provider provides instruction for them
as to their role in EHRS.
- c) The Emergency Electronic Home Response Center (EHRC)
provides 24-hour monitoring, responding promptly to
incoming signals by calling the client and emergency
responders and providing back-up assistance to insure
proper handling of each emergency.
- d) The EHRS vendor provider shall instruct the client at
the time of installation to call the EHRS vendor
provider:
- 1) monthly, to test the equipment; (If no monthly
call is received, the provider must contact the
client to ensure that the equipment is working.);
 - 2) to request re-instruction in the use of the
equipment, if necessary; and
 - 3) to update the information file.
- e) The EHRS vendor provider must repair or replace a
malfunctioning unit in the subscriber's home within 24
hours of reporting the malfunction. This function can
not be subcontracted.
- f) The EHRS vendor provider maintains records of all
emergencies, tests, or events including hospitalization
of clients, when as a result of incoming signal. These
records must include the date and type of all
emergencies, tests, or other events, and the vendor's
provider's response to the incoming signal.
- g) In the event of an emergency, the EHRS vendor provider
must notify the client's referring physician, Home
Service Program counselor, social worker or designated
responders provided by the client within 24 hours of
the event.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

- h) The Home Services Counselor will be contacted, as well as the client or responsible family member at least 48 hours prior to termination of services should the client be unable to operate the home remote control. This determination to terminate services is made by the vendor provider based on direct observation by or information from the client, family members, vendors, and medical personnel. This contact must be followed up with a written verification, to the counselor, documenting the termination of services and its justification.
- i) The EHRS vendor provider shall accept all cases referred for services by the Department.

(Source: Amended at 13 Ill. Reg. 15091 effective Sept. 8, 1989)

Section 714.20 Emergency Electronic Home Response Center (EHRC) Equipment Specifications (Central Station Receiving Equipment)

a) General Description

The EHRC equipment must be capable of receiving and displaying signals from the Home Communicator. It must have features to draw attention to incoming signals and to maximize reliability. The signal line to the response center can be cost free to the user but a long distance charge may be billed if the client does not reside in the area of the center.

- b) Minimum performance standards which must be met:

- 1) The EHRC is a redundant computer-based digital receiving system designed to automatically answer incoming signals on a dedicated switched network telephone line, and display and print the messages, time, and date. A back-up battery power supply will take over should there be loss of line power or a single circuit failure.
- 2) The primary receiver and back-up receiver are completely independent. Signals can be received and processed with only one of the receivers on line. When a call comes in to the EHRC the receiver will verify it is on line by sending a

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

- "ready" signal. Should one receiver fail, the other will automatically take over and receive and process the call.
- 3) The EHRC displays and prints the time and date of the emergency signal, the client identification code, and describes the emergency in words or in coded format.
 - 4) The back-up power supply provides in excess of 8 hours of emergency response center operation in the event of alternating current (AC) power failure.
 - 5) The telephone line monitor gives audible and visual signals if the incoming telephone line is out of service for more than 1 minute.
 - 6) The equipment is capable of identifying every client account.
 - 7) The unit is self monitoring, indicating the status of fault conditions that exist, such as AC power out, phone line out, call received but no message, receiver 1 inoperative, etc.
 - 8) The EHRC is certified under the Federal Communications Commissions' (FCC) regulations 47 CFR 15 and 68, October 1, 1985, with no later amendments.

(Source: Amended at 13 Ill. Reg. 15091 effective Sept. 8, 1989)

Section 714.30 Emergency Electronic Home Response Service (EHRS) Home Unit Specifications

a) General Description:

Home units are attached to an individual's home phone line and are programmed in such a way that, in an emergency, a client can press a small, wireless, remote switch or button (The type of home unit remote control can vary, based on client's needs to instead utilize sip and puff, patient down, or other features.) which he/she wears and which will activate the unit to summon help. The unit must have the ability to send a

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

separate signal after a period of inactivity in the home and another signal when help arrives at the individual's home.

b) Minimum Performance Features For Home Unit:

- 1) Two components are involved. The first is a small, wireless Personal Help Button. The second is a communicator which is attached to the person's phone line and, when activated, will dial a predetermined phone number and send an electronic message. There may be a long distance charge if client does not reside in area of EHRS.

2) Personal Help Button

The Personal Help button is sufficiently small to be worn as a pendant or like a wristwatch. It must have the following characteristics:

- A) Crystal or Surface Acoustic Wave resonator (SAW) controlled transmitter frequency for long term reliability.
- B) Digital encoding for 10 or more combinations.
- C) When pressed (activated), it will activate the person's Home Communicator within 175 feet.

D) Internal battery life of 5 years.E) Low battery signal transmission.

BF) Certification under 47 CFR 15, October 1, 1985, with no later amendments.

3) Minimum standards required of the communicator are:

- A) The communicator is an integrated unit for the home that connects to the person's phone line through a modular jack, and to the alternating current power source through an Underwriters Laboratory and/or Canadian Standards Authority approved plug-in transformer.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

- B) The communicator is attached to the telephone line and does not interfere with normal use of the telephone. It has the capability of automatically seizing the telephone line, even when an extension phone is off the hook, dialing the number of the EHRC and sending a digital message identifying the person signaling, and, if applicable, indicating whether the signal is an active emergency (button pressed), passive emergency (beeps out), or reset signal.

- C) The communicator looks for a "ready" signal to insure that it is on line with the EHRC and a "confirmation" signal to insure that the message has been verified. If either of these signals is not received, the unit will "hang up" and try again.

- D) The system is useful to both the visually and hearing impaired. When the communicator is activated, it gives both visual and audible indications of the alarm condition. The receipt of a "confirmation" signal also gives additional audible and visual indications. A visual flashing light prompts the responder to activate the "reset" function.

(Source: Amended at 13 Ill. Reg. 15091 effective Sept. 8, 1989)

Section 714.40

Compliance Requirements

In order to participate in the Department of Rehabilitation Services (DORS) Home Service Program, the provider agrees to meet the following minimum requirements which shall be reviewed annually for compliance.

a) Organization and Administration

The provider shall make available, upon request, its articles of incorporation, or if unincorporated shall provide a statement of purpose and functions. The provider will make available, upon request, the names and addresses of owners, or its officers and directors.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

b) Policies

The provider shall have written policies approved by its governing authority and available for review by consumers and purchasers of the service. Such policies shall include:

- 1) Service Provided - Policy shall designate the type and scope of service provided. When more than one type of service is offered, there shall be a clear distinction between each type provided.
- 2) Personnel Policies - Personnel policies shall be in writing and adopted by the provider's governing authority. Policies shall cover salary schedules, hours of work, sick leave, provision for handling grievances, and requirements for attendance at work conferences. There shall also be written job descriptions identifying required qualifications and duties for each job title.

c) Records and Reports

Reporting shall reflect information needed by the provider to plan, budget, administer, interpret and evaluate the program as follows:

- 1) Records shall be maintained of all referrals and requests for service and their disposition;
- 2) Client records shall include:
 - A) Dates and times of client active or inactive signalling and name of responder to each emergency signal;
 - B) Dates of monthly test calls from client to provider or from provider to client; and
 - C) Disposition of each emergency signalled.
- 3) Administrative records shall include:
 - A) Service statistics and
 - B) Billing and payment records.
- 4) Personnel records of EHRS center staff shall include:

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

- A) Schedules and attendance records for all EHRS center staff;
- B) Attendance by EHRS staff at in-service training; and
- C) Annual performance evaluations.

- 5) The above records shall be kept for at least five years or until all state and federal audits are completed. Authorized representatives of DORS and the U.S. Department of Health and Human Services shall have access to all records of the provider, the parent company, subsidiary agency and other interlocking company(s) as they relate to the agreement.

d) Evaluation

The provider shall have procedures for annual evaluation of its service, including both program and case evaluation procedures. The program evaluation shall consist of assessment of quality of service with specific recommendations to its governing authority for improving the service. Evaluation procedures shall provide for assessment of the effectiveness of the service in individual case situations as viewed by both the client and the provider.

e) Services

The provider shall agree to provide EHRS services as specified in Sections 714.10-714.30.

f) Liability

- 1) DORS assumes no liability for actions of the provider under the Rate Agreement.
- 2) The provider agrees to hold harmless DORS against any and all liability, loss, damage, cost or expenses arising from wrongful or negligent acts of provider, which DORS may sustain, incur or be required to pay.
- 3) The provider certifies that it has and will maintain adequate liability insurance coverage.

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF ADOPTED AMENDMENTS

- 4) The provider agrees to provide to DORS a copy of the Certificate of Insurance.

g) Applicable Law

The provider agrees to comply with all local, state and federal laws, regulations, and standards and DORS regulations and standards pertaining to this program.

h) Non-discrimination

The provider agrees to comply with Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), Section 504 of the Rehabilitation Act of 1973, as amended (34 CFR 104, 1980), the Illinois Human Rights Act (Ill. Rev. Stat. 1987, ch. 68, pars. 1-101, et seq.), the Constitution of the United States, the 1970 Constitution of the State of Illinois and any laws, regulations or orders, state or federal, which prohibit discrimination on the grounds of race, color, sex, religion, national origin, ancestry, age, marital status, inability to speak or comprehend the English language, physical or mental handicaps, or unfavorable discharge from military service.

i) Confidentiality

The provider agrees that any information obtained concerning DORS clients shall remain confidential. The provider agrees not to disclose any such information without prior written approval of the Director of DORS and only for the purposes directly connected with the administration of the program and services, or as may be required by state or federal law.

j) Certification of Non-bribery

The provider certifies that the provider has not been convicted of bribery or attempting to bribe an officer or employee of the State of Illinois, nor has the provider made an admission of guilt of such conduct which is a matter of record, nor has any officer, official, agent, or employee of the provider been so convicted or made such an admission.

(Source: Added at 13 Ill. Reg. 15091 effective Sept. 8, 1989)

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

- 1) The Heading of the Part: Certificates of Title, Registration of Vehicles

- 2) Code Citation: 92 Ill. Adm. Code 1010

- 3) Section numbers: Adopted Action:
1010.430 New Section

- 4) Statutory Authority: Sections 2-104(b), 3-412, 3-611, 3-806, 3-808, 3-815 and 5-202 of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 2-104(b), 3-412, 3-611, 3-806, 3-808, 3-815 and 5-202), Chapter 8 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 8-101 et seq.), Section 12-606 of the Illinois Vehicle Equipment Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 12-606), and Section 13-101 of the Illinois Vehicle Inspection Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 13-101)

- 5) Effective Date of Amendment: September 15, 1989

- 6) Does this rulemaking contain an automatic repeal date? No

- 7) Does this amendment contain incorporations by reference? No

- 8) Date Filed in Agency's Principal Office: September 15, 1989

- 9) Notice of Proposal Published in Illinois Register:

April 21, 1989, 13 Ill. Reg. 5655

- 10) Has JCAR issued a Statement of Objections to these amendments? No

- 11 Differences between proposal and final version:

1. In the table of contents we omitted Sections 1010.20, 1010.452, 1010.455 and 1010.456, which has now been added.
2. In the main source note, the last action was omitted. It has now been added.
3. In Section 1010.430(a), deleted the statutory citations to the various Sections of the IVC because they have been referenced and cited earlier in the Act.
4. In the definition of "Commuter Van" the labels in the two number phrases have been deleted.
5. In the definition of "Motor Vehicle" we deleted the labels from the first two second level subsections.

ILLINOIS REGISTER

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENTS

6. In the definition of "Motor Vehicle" we deleted the labels from the first two second level subsections.

12) Have all the changes agreed upon by the agency and JC&AR been made as indicated in the agreement letter issued by JC&AR? Yes

13) Will these amendments replace an emergency rule amendment currently in effect? No

14) Are there any amendments pending on this Part? No

15) Summary and Purpose of Rules:

This rulemaking establishes a new plate category for public transportation vehicles. It also sets forth special designations used on license plates for vehicles which transport persons for compensation (i.e. taxi cabs, commuter vans, delivery vehicles, school buses, ambulances, medical carrier vehicles and rescue vehicles) and tow trucks. The rulemaking informs persons who wish to obtain a license plate in one of the above mentioned categories what requirements must be met before the license plates will be issued.

16) Information and questions regarding these adopted amendments shall be directed to:

Robert B. Powers
Assistant Counsel to the Secretary
298 Centennial Building
Springfield, Illinois 62706
(217)785-3094

The full text of the Adopted Amendments begins on the next page:

ILLINOIS REGISTER

15104

89

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1010

CERTIFICATES OF TITLE, REGISTRATION OF VEHICLES

SUBPART A: DEFINITIONS

Section	Owner--Application of Term
1010.10	Secretary and Department
1010.20	

SUBPART B: TITLES

Section	Salvage Certificate-Additional Information Required to Accompany Application for a Certificate of Title for a Rebuilt or a Restored Vehicle Upon Surrendering Salvage Certificate
1010.110	Salvage Certificate-Assignments and Reassignments
1010.120	Exclusiveness of Lien on Certificate of Title
1010.130	Documents Required to Title and Register Imported Vehicles Not Manufactured in Conformity with Federal Emission or Safety Standards
1010.140	Transferring Certificates of Title Upon the Owner's Death
1010.150	Repossession of Vehicles by Lienholders and Creditors
1010.160	

SUBPART C: REGISTRATION

Section	Application for Registration
1010.210	Vehicles Subject to Registration - Exceptions
1010.220	Refusing Registration or Certificate of Title
1010.230	Registration Plates To Be Furnished By The Secretary of State
1010.240	Applications For Reassignment
1010.250	

SUBPART D: REVOCATION, SUSPENSION AND CANCELLATION OF REGISTRATION

Section	Operation of Vehicle after Cancellation, Suspension, or Revocation of any Registration
1010.300	Improper Use of Evidences of Registration
1010.310	Suspension, Cancellation or Revocation of Illinois Registration Plates and Cards and Titles
1010.320	Operation of Vehicle Without Proper Illinois Registration
1010.330	Suspension or Revocation
1010.350	Surrender of Plates, Decals or Cards
1010.360	

SUBPART E: SPECIAL PERMITS AND PLATES

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

Section
1010.410 Temporary Registration - Individual Transactions
1010.420 Temporary Permit Pending Registration In Illinois
1010.430 Registration Plates for Motor Vehicles Used for Transportation of Persons for Compensation and Tow Trucks
1010.440 Title and Registration of Vehicles with Permanently Mounted Equipment
1010.450 Special Plates
1010.451 Purple Heart License Plates
1010.452 Special Event License Plates
1010.455 Collectible License Plates
1010.456 Sample License Plates For Motion Picture and Television Studios
1010.460 Special Plates for Members of the United States Armed Forces Reserves
1010.470 Dealer Plate Records
1010.480 State of Illinois In-Transit Plates

SUBPART F: FEES

Section
1010.510 Determination of Registration Fees
1010.520 When Fees Returnable
1010.530 Circuit Breaker Registration Discount
1010.540 Maximum Fees for Distribution of Motor Vehicle Renewal Plates and/or Stickers

SUBPART G: MISCELLANEOUS

Section
1010.610 Unlawful Acts, Fines and Penalties
1010.620 Change of Engine

SUBPART H: SECOND DIVISION VEHICLES

Section
1010.705 Reciprocity
1010.710 Vehicle Proration
1010.715 Proration Fees
1010.720 Vehicle Apportionment
1010.725 Trip Leasing
1010.730 Intrastate Movements, Foreign Vehicles
1010.735 Interline Movements
1010.740 Trip and Short-term Permits
1010.745 Signal 30 Permit for Foreign Registered Vehicles
1010.750 Signal 30-Year-round for Prorated Fleets of Leased Vehicles
1010.755 Mileage Tax Plates
1010.756 Suspension or Revocation of Illinois Mileage Weight Tax Plates
1010.760 Transfer for "For-Hire" Loads

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

1010.765 Suspension or Revocation of Exemptions as to Foreign Registered Vehicles
1010.770 Required Documents for Trucks and Buses to detect "intrastate" movements
1010.775 Certificate of Safety

APPENDIX A Uniform Vehicle Registration Proration and Reciprocity Agreement
APPENDIX B International Registration Plan

AUTHORITY: Implementing Chapter 3 and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, pars. 3-100 et seq. and 2-104(b)).

SOURCE: Filed and effective December 15, 1970; emergency amendment at 2 Ill. Reg. 25, p. 119, effective June 14, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 12, p. 76, effective March 23, 1979; amended at 3 Ill. Reg. 29, p. 123, effective July 20, 1979; amended at 4 Ill. Reg. 17, p. 247, effective April 11, 1980; emergency amendment at 4 Ill. Reg. 21, p. 99, effective May 14, 1980, for a maximum of 150 days; amended at 6 Ill. Reg. 2241, effective February 1, 1982; amended at 6 Ill. Reg. 11076, effective August 26, 1982; codified at 6 Ill. Reg. 12674; amended at 7 Ill. Reg. 1432, effective January 21, 1983; amended at 7 Ill. Reg. 1436, effective January 21, 1983; amended at 8 Ill. Reg. 5329, effective April 6, 1984; amended at 9 Ill. Reg. 3358, effective March 1, 1985; amended at 9 Ill. Reg. 9176, effective May 30, 1985; amended at 9 Ill. Reg. 12863, effective August 2, 1985; amended at 9 Ill. Reg. 14711, effective September 13, 1985; amended at 10 Ill. Reg. 1243, effective January 6, 1986; amended at 10 Ill. Reg. 4245, effective February 26, 1986; amended at 10 Ill. Reg. 14308, effective August 19, 1986; recodified at 11 Ill. Reg. 15920; amended at 12 Ill. Reg. 14711, effective September 15, 1988; amended at 12 Ill. Reg. 15193, effective September 15, 1988; amended at 13 Ill. Reg. 1598, effective February 1, 1989; amended at 13 Ill. Reg. 5173, effective April 1, 1989; amended at 13 Ill. Reg. 7965, effective May 15, 1989; amended at 13 Ill. Reg. 15102, effective September 15, 1989.

SUBPART E: SPECIAL PERMITS AND PLATES

Section 1010.430 Registration Plates for Motor Vehicles Used for Transportation of Persons for Compensation and Tow Trucks

a) For purposes of this Section, the following definitions shall apply:

"Ambulance" - any publicly or privately owned vehicle which is specifically designed, constructed or modified and equipped, and is intended to be used for, and is

SECRETARY OF STATE

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

NOTICE OF ADOPTED AMENDMENT(S)

maintained or operated for the emergency transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless as provided in Section 1-102.01 of the Illinois Vehicle Code.

"Bus" - every motor vehicle, other than a commuter van, designed for carrying more than 10 persons as provided in Section 1-107 of the Illinois Vehicle Code.

"Commercial Vehicle" - any vehicle operated for the transportation of persons or property in the furtherance of any commercial or industrial enterprise, For-Hire or Not-For-Hire, but not including a commuter van, a vehicle used in a ridesharing arrangement when being used for that purpose, or a recreational vehicle not being used commercially as provided in Section 1-114 of the Illinois Vehicle Code.

"Commuter Van" - a motor vehicle designed for the transportation of not less than 7 nor more than 16 passengers, which is: used in a ridesharing arrangement; or owned or leased by or on behalf of a company or an employee organization and operated on a non-profit basis with the primary purpose of transporting employees of the company between the employees' homes and the company's place of business or a public transportation station and in which the operating, administrative, maintenance and reasonable depreciation costs are paid principally by the persons utilizing the commuter van as provided in Section 1-114.1 of the Illinois Vehicle Code.

"Compensation" - remuneration or payment of any kind which is received or owed for use of the motor vehicle or the service provided by the use of the motor vehicle.

"Funeral Home Vehicle" - any privately owned first or second division vehicle weighing 8,000 pounds or less which is owned or leased by a funeral home.

"Livery Vehicle" - any privately owned first division vehicle which is intended to be used for the transportation of persons when the payment is not based on a meter charge but is prearranged for a designated destination.

"Medical Carrier" - any publicly or privately owned motor vehicle which is specifically designed, constructed or

modified and equipped, and is intended to be used for, and is maintained or operated for the nonemergency transportation of persons for compensation for the purpose of obtaining medical services as provided in Section 1-142.1 of the Illinois Vehicle Code.

"Medical Transport Vehicle" - includes ambulances, medical carriers, and rescue vehicles as provided in Section 1-142.2 of the Illinois Vehicle Code.

"Motor Vehicle" - every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails, except for vehicles moved solely by human power and motorized wheelchairs. For this Act, motor vehicles are divided into two divisions:

First Division: Those motor vehicles which are designed for the carrying of not more than 10 persons.

Second Division: Those motor vehicles which are designed for carrying more than 10 persons, those designed or used for living quarters and those motor vehicles which are designed for pulling or carrying property, freight or cargo, and those motor vehicles of the first division remodelled for use and used as motor vehicles of the second division as provided in Section 1-146 of the Illinois Vehicle Code.

A second division vehicle also includes a motor vehicle of the first division used and registered as a school bus as provided in Section 1-217 of the Illinois Vehicle Code.

"Public Transportation Vehicle" - any privately owned first or second division motor vehicle which is intended to be used for and is maintained or operated for the nonemergency transportation of persons for compensation, excluding motor vehicles regulated by the Illinois Commerce Commission.

"Rescue Vehicle" - any publicly or privately owned vehicle which is specifically designed, configured, and equipped for the performance of access and extrication of persons from hazardous or life-endangering situations, as well as for the emergency transportation of persons who are

NOTICE OF ADOPTED AMENDMENT(S)

sick, injured, wounded or otherwise incapacitated or helpless as defined in Section 1-224 of the Illinois Vehicle Code.

"School Bus" - every motor vehicle, except as provided for in this definition, owned or operated by or for any of the following entities for the transportation of persons regularly enrolled as students in grade 12 or below in connection with any activity of such entity:

Any public or private primary or secondary school;

Any primary or secondary school operated by a religious institution; or

Any public, private or religious nursery school.

This definition shall not include the following:

A bus operated by a public utility, municipal corporation or common carrier authorized to conduct local or interurban transportation of passengers when such bus is not traveling a specific school bus route but is:

on a regularly scheduled route for the transportation of other fare paying passengers; furnishing charter service for the transportation of groups on field trips or other special trips or in connection with other special events; or being used for shuttle service between attendance centers or other educational facilities.

A motor vehicle of the first division as provided in Section 1-182 of the Illinois Vehicle Code.

"Taxicab" - any privately owned first division vehicle which is intended to be used for the transportation of persons when the payment is usually based and recorded as a taxi meter charge between a point of origin and a destination.

"Tow Truck" - every truck designed or altered and equipped for and used to push, tow, or draw vehicles by means of

NOTICE OF ADOPTED AMENDMENT(S)

a crane, hoist, towbar, towline or auxiliary axle, or to render assistance to disabled vehicles as defined in Section 1-205.1 of the Illinois Vehicle Code.

b) The Department shall issue for every motor vehicle owned or operated by a person, firm or corporation, and used for transportation of persons or property for compensation, distinctive registration plates displaying a special designation as provided in Sections 3-611, 3-412(e), 3-412(g), and 3-412(j) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, pars. 3-611, 3-412(e), 3-412(g), and 3-412(j)). The statutory registration fee required shall be determined based on Sections 3-806 and 3-808 of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, pars. 3-806 and 3-808) for vehicles of the first division and based on gross vehicle weight as provided in Section 3-815 of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, par. 3-815) for vehicles of the second division.

c) Motor vehicles privately owned by a person, firm or corporation and used for transportation of persons or property for compensation shall be issued the following distinctive registration plates:

1) Ambulances as defined in subsection (a) shall be issued ambulance plates. These distinctive plates shall be numbered to denote the following:

- A) First digit - the emergency medical service region.
- B) Next three digits - the number of the company providing the service as registered with the Illinois Department of Public Aid.
- C) Last two digits - the vehicle's number in the company's fleet.

2) Commuter vans as defined in subsection (a) shall be issued registration plates with a "CM" suffix.

3) Funeral home vehicles as defined in subsection (a) shall be issued registration plates with an "FH" suffix.

4) Livery vehicles as defined in subsection (a) shall be issued registration plates with an "LY" suffix.

ILLINOIS REGISTER

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

- 5) Medical carrier vehicles and rescue vehicles as defined in subsection (a) shall be issued distinctive livery plates with an "MC" suffix. These plates shall be issued to first division and second division vehicles.
- 6) Public transportation vehicles as defined in subsection (a) shall be issued registration plates with a "PT" suffix.
- 7) School buses as defined in subsection (a) shall be issued registration plates with an "SB" suffix.
- 8) Taxicabs as defined in subsection (a) shall be issued registration plates with a "TX" suffix.
- 9) Tow trucks as defined in subsection (a) shall be issued registration plates with a "TW" suffix. The display of plates is defined in Section 5-202 of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, par. 5-202).

d) Motor vehicles, not exempted from coverage in Chapter 8 of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, par. 8-101 et seq.), and which are used for the transportation of persons for compensation must file proof of financial responsibility at the time of registration as provided in Chapter 8 of the Illinois Vehicle Code. Additionally, medical transport vehicles and tow trucks must file proof of compliance with the safety inspection requirements of Section 13-101 of the Illinois Vehicle Inspection Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, par. 13-101). Additionally, tow trucks must file proof of insurance compliance with Section 12-606(d) of the Illinois Vehicle Equipment Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, par. 12-606(d)). This requirement does not apply to motor vehicles covered under the liability insurance provision under Section 12-707.01 of the Illinois Vehicle Equipment Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95½, par. 12-707.01).

(Source: Added at 13 Ill. Reg. 15102, effective September 15, 1989)

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

- 1) Heading of Part: Issuance of Licenses
- 2) Code Citation: 92 Ill. Adm. Code 1030
- 3) Section Numbers
1030.11

Adopted Action

New Section

New Section

APPENDIX B

- 4) Statutory Authority: Sections 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 2-104(b)) and Section 6-100 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-100).
- 5) Effective Date of Amendments: September 8, 1989
- 6) Does this rulemaking contain an automatic repeal date? Yes X No.
- 7) Does this amendment contain incorporations by reference? No.
- 8) Date Filed in Agency's Principal Office: September 8, 1989
- 9) Notice of Proposal Published in Illinois Register: 13 Ill. Reg. 3611 (March 24, 1989).
- 10) Has JCAR Issued a Statement of Objections to this Rule? No.
- 11) Differences between proposal and final version.

Pursuant to suggestions from the Administrative Code Unit, the following changes were made:

In required question #10, the middle column heading was changed to "Proposed Action".

In the table of contents, the colons following the labels for Appendix A were deleted; also in Appendix A, the colons following the Appendix label were deleted..

It was agreed to with the Administrative Code Unit to adopt Appendix A before Appendix B.

The main source note was updated to include the most recent rule adoptions.

Pursuant to suggestions from the Joint Committee on Administrative Rules, the following changes were made:

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

A copy of the driver's license application form was provided to JCAR upon their request.

In Appendix B, item 25, the acronym "INS" was changed to read "Immigration and Naturalization Service"; additionally, in item 6, the acronym "CDTP" was changed to read "Commercial Driver Training Program".

In order to provide standards governing how the Secretary of State Driver Services facility personnel will make a determination on whether identification is acceptable, the language in the Note to Appendix B was changed to read as follows: "Note: Driver Services facility personnel will make the final decision on whether identification is acceptable, i.e., whether the tendered identification can be read by Driver Services personnel, evidences signs of alteration, omits elements (signature))."

12) Have all the changes agreed upon by the Agency and JCAR been made as indicated in the Agreement Letter issued by JCAR? Yes.

13) Will this rule replace any Emergency Rule(s) currently in effect? No.

14) Are there any other amendments pending on this Part? Yes.

Section Numbers	Proposed Action	Illinois Register Citation
1030.65	Amendment	13 Ill. Reg. 14019 (Sept. 8, 1989)
1030.89	Amendment	13 Ill. Reg. 7892 (May 26, 1989)
1030.91	Amendment	13 Ill. Reg. 14344 (Sept. 15, 1989)

15) Summary and Purpose of Rule: This rulemaking amends and sets forth the procedure for obtaining a driver's license and specifies the acceptable identification documents.

16) Information and answers to questions regarding this Adopted Rule should be directed to:

Nancy S. Short
Assistant Counsel to the Secretary
2701 S. Dirksen Parkway
Springfield, IL 62723
Tel: 217/782-5356

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

TITLE 92: TRANSPORTATION

CHAPTER II: SECRETARY OF STATE

PART 1030

ISSUANCE OF LICENSES

Section	
1030.10	What Persons Shall Not be Licensed or Granted Permits
1030.11	Procedure for Obtaining a Driver's License
1030.15	Cite for Re-Examination
1030.20	Classification of Drivers - References
1030.30	Classification Standards
1030.40	Fifth Wheel Equipped Trucks
1030.50	Bus Driver's Authority, Religious Organization
1030.55	Commuter Van Driver Operating a For-Profit Ridesharing Arrangement
1030.60	Employer Certification Program
1030.63	Religious Exemption for Social Security Numbers
1030.65	Instruction Permits
1030.70	Driver's License Testing/Vision Screening
1030.75	Driver's License Testing/Vision Screening With Vision Aid Arrangements Other Than Standard Eye Glasses or Contact Lens(es)
1030.80	Driver's License Testing/Written Test
1030.84	Vehicle Inspection
1030.85	Driver's License Testing/Road Test
1030.86	Multiple Attempts/Road Test
1030.88	Exemption of Facility Administered Road Test
1030.89	Temporary Licenses
1030.90	Requirement For Photograph and Signature of Licensee On Driver's License
1030.92	Restrictions
1030.93	Restricted Local Licenses
1030.94	Duplicate or Corrected Driver's License or Instruction Permit
1030.95	Diplomatic and Consular Licenses
1030.100	Anatomical Gift Donor
1030.110	Emergency Medical Information Card
1030.115	Change-of-Address
1030.120	Issuance of a Probationary License
1030.130	Grounds for Cancellation of a Probationary License
Appendix A	Questions Asked of a Driver's License Applicant
Appendix B	Acceptable Identification Documents

AUTHORITY: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, pars. 6-100 et seq.) and authorized by Section 2-104(b) of the Illinois Vehicle Title & Registration Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 2-104(b)).

SOURCE: Filed March 30, 1971; amended at 3 Ill. Reg. 7, p. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, p. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill. Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 18182, effective

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. Reg. 19777, effective November 15, 1988; amended at 13 Ill. Reg. 5192, effective April 1, 1989; amended at 13 Ill. Reg. 7808, effective June 1, 1989; amended at 13 Ill. Reg. 12880, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 13898, effective August 22, 1989; amended at 13 Ill. Reg. 15112, effective Sept. 8, 1989.

Section 1030.11 Procedure for Obtaining a Driver's License

a) Any person who wishes to obtain a driver's license shall go to one of the Secretary of State Driver Services Facilities located throughout the state. An application form provided by the Secretary of State pursuant to Section 6-106 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-106) shall be completed by the applicant. The questions contained on the application form are provided in Appendix A of this Part. The applicant shall also provide a Driver Services Facility employee with three (3) forms of identification establishing the applicant's name, date of birth, signature for comparison, Illinois residency, and Social Security Number. Acceptable forms of identification are provided in Appendix B of this Part.

b) The applicant shall take the following tests as required in Section 6-109 of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-109):

- 1) A vision test as provided in Sections 1030.70 and 1030.75 of this Part;
- 2) A road test, if required, as provided in Section 1030.85 of this Part (exemptions to the road test requirement are provided in Section 1030.88 of this Part); and,
- 3) A written test, if required, as provided in Section 1030.80.

c) Finally, the applicant shall have his/her photograph taken unless exempted as provided in Section 1030.90 of this Part. A driver's license shall be issued upon completion of all the requirements of this Section and Section 6-100 et seq. of the Illinois Driver Licensing Law of the Illinois Vehicle Code (Ill. Rev. Stat. 1987, ch. 95 1/2, par. 6-100 et seq.).

(Source: Added at 13 Ill. Reg. 15112 effective Sept. 8, 1989.)

SECRETARY OF STATE

NOTICE OF ADOPTED AMENDMENT(S)

Section 1030. Appendix B Acceptable Identification Documents

Documents of identification which are acceptable for the purpose of obtaining a driver's license, permit and/or identification card may include but are not limited to the following:

- 1) Adoption Records (Official)
- 2) Bank Statement (within 90 days)
- 3) Baptismal Record
- 4) Birth Certificate (Certified Copy)
- 5) Cancelled check (within 90 days)
- 6) Cooperative Driver Training Program (CDTP) Certification Form
- 7) Checking account
- 8) City Directory Verification
- 9) Court Order for Name Change
- 10) Court Order for Change of Date of Birth
- 11) Credit Card (only 1 - must be valid and signed)
- 12) Divorce Decree
- 13) Driver Education Certificate (Blue Slip)
- 14) Employment I.D.
- 15) Government Driver's License (Valid)
- 16) Government Employment Photo I.D. (Valid)
- 17) Grade School Transcript
- 18) High School Transcript
- 19) High School Yearbook (with photo)
- 20) Illinois Driver's License Receipt (valid with signature)
- 21) Illinois Driver's License/I.D. Renewal Notice
- 22) Illinois Driver's License/I.D. with photo (expired less than (1) year)
- 23) Illinois Instruction Permit (valid signature)
- 24) Income Tax Refund Check
- 25) Immigration and Naturalization Service (INS) Forms I-151, 551, 688, or 688A (proof of date of birth only)
- 26) INS Form I-94 (proof of date of birth only)
- 27) Insurance Policy (active)
- 28) Lease Agreement (current)
- 29) Marriage License
- 30) Medicare Cards (with A, J, HA, M, or T suffixes only)
- 31) Military Driver's License (US) (valid - must be on active duty or within 45 days thereof)
- 32) Military Driver's License (US) (valid - Reserve or National Guard)
- 33) Military I.D. Card (valid US)
- 34) Military I.D. Card (valid - US Reserve or National Guard)
- 35) Military Service Record (US) (Certified Copy or Original DD-214 or Equivalent)
- 36) Mortgage or Personal Loan Documents (not application)
- 37) Naturalization Certificate (official court document or certificate)

NOTICE OF ADOPTED AMENDMENT(S)

- 38) Out-of-State Driver's License or I.D. (valid or less than (1) year expired)
- 39) Passport (valid U.S. or Foreign)
- 40) Payroll check stub (within 30 days)
- 41) Personal Identification:
 - by parent or legal guardian (must provide acceptable I.D.)
 - by high school driver education instructor (must provide acceptable I.D. - Illinois Driver's License)
 - by facility personnel (employee signature entered in the I.D. area)
- 42) Police Report of lost or stolen driver's license or I.D.
- 43) Vehicle Registration (current)
- 44) Rent Receipt (within 60 days)
- 45) Savings Account Passbook
- 46) School I.D.
- 47) Selective Service Card
- 48) Social Security Administration Award Letter "Numident" Printout
- 49) Social Security Card
- 50) Tax Return Forms (with W-2 Form)
- 51) Vehicle Title
- 52) Union Card (current)
- 53) Utility Bill (within 60 days)
- 54) Voter's Certificate of Registration Card

Note: Driver Services facility personnel will make the final decision on whether identification is acceptable (i.e., whether the tendered identification can be read by Driver Services personnel, evidences signs of alteration, omits elements (signature)). Additional documents, not listed here, may be acceptable upon review by facility personnel. Facility personnel also have the right to require additional proof of identity. Applicants should be aware they must have adequate identification to establish the following: name, date of birth, signature for comparison, Illinois residency and Social Security Number.

(Source: Added at 13 Ill. Reg. 15112, effective Sept. 8, 1989)

NOTICE OF EMERGENCY AMENDMENT

THE HEADING OF THE PART: Sport Fishing Regulations for the Waters of Illinois

CODE CITATION: 17 Ill. Adm. Code 810

EMERGENCY ACTION

SECTION NUMBERS

810.20

Amendment

STATUTORY AUTHORITY: Implementing and authorized by Sections 1.4, 1.5, 1.10, 2.1, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.9, 3.10, 3.12, 3.14, 3.18, 3.19, 4.11, 5.1, 5.7, and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1987, ch. 56, pars. 1.4, 1.5, 1.10, 2.1, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.9, 3.10, 3.12, 3.14, 3.18, 3.19, 4.11, 5.1, 5.7, and 6.1)

EFFECTIVE DATE OF AMENDMENT: September 11, 1989

IF THIS EMERGENCY AMENDMENT IS TO EXPIRE BEFORE THE END OF THE 150-DAY PERIOD, PLEASE SPECIFY THE DATE ON WHICH IT IS TO EXPIRE: This emergency amendment will remain in effect for the 150-day period.

DATE FILED IN AGENCY'S PRINCIPAL OFFICE: September 11, 1989

REASON FOR EMERGENCY To eliminate the Waukegan Power Plant Discharge Area from Section 810.20(C)(3)(E), which lists the areas in the State where snagging is permitted.

A COMPLETE DESCRIPTION OF THE SUBJECTS AND ISSUES INVOLVED:

This amendment is required due to a decision by Commonwealth Edison, Inc., the owner of the Waukegan Power Plant Discharge Area, to prohibit snagging on that particular piece of Commonwealth Edison property. Since this is private property, and fishing is by agreement between the owner and the Department, the owner lawfully controls whether or not an otherwise legal method may be used. Commonwealth Edison has already advised the local sportsmen and units of local government and the Department of Conservation that it will not permit snagging on its property this year. The snagging season would normally start October 1. The Department feels that this emergency is necessary to inform the angling public of the change and to eliminate confusion which could occur do to the current rule allowing an activity which will, in fact, be prohibited. It is in the interest of the public to have the rule reflect the true situation.

- 10) ARE THERE ANY PROPOSED AMENDMENTS TO THIS PART PENDING? No
- 11) STATEMENT OF STATEWIDE POLICY OBJECTIVES (if applicable): This rule has no impact on local governments.
- 12) INFORMATION AND QUESTIONS REGARDING THIS AMENDMENT SHALL BE DIRECTED TO:

ILLINOIS REGISTER

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENT

Jack Price
Lincoln Tower Plaza
524 S. Second Street
Springfield, Illinois 62701-1787

THE FULL TEXT OF THE EMERGENCY AMENDMENT BEGINS ON THE NEXT PAGE:

ILLINOIS REGISTER

15120
89

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF CONSERVATION
SUBCHAPTER b: FISH AND WILDLIFE

PART 810

SPORT FISHING REGULATIONS FOR THE WATERS OF ILLINOIS

Section	
810.10	Sale of Fish
810.20	Snagging
EMERGENCY	
810.30	Pole and Line Fishing Only
810.40	Daily Catch and Size Limits
810.50	Bait Fishing
810.60	Bullfrogs
810.70	Free Fishing Days
810.80	Emergency Protective Regulations
810.90	Tagged Fishing Tournament Permit

AUTHORITY: Implementing and authorized by Sections 1.4, 1.5, 1.10, 2.1, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.9, 3.10, 3.12, 3.14, 3.18, 3.19, 4.11, 5.1, 5.7, and 6.1 of the Fish Code of 1971 (Ill. Rev. Stat. 1987, ch. 56, pars. 1.4, 1.5, 1.10, 2.1, 3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7, 3.9, 3.10, 3.12, 3.14, 3.18, 3.19, 4.11, 5.1, 5.7, and 6.1)

SOURCE: Adopted at 5 Ill. Reg. 751, effective January 8, 1981; codified at 5 Ill. Reg. 10647; amended at 6 Ill. Reg. 342, effective December 23, 1981; amended at 6 Ill. Reg. 7411, effective June 11, 1982; amended at 7 Ill. Reg. 209, effective December 22, 1982; amended at 8 Ill. Reg. 1564, effective January 23, 1984; amended at 8 Ill. Reg. 16769, effective August 30, 1984; amended at 9 Ill. Reg. 2916, effective February 26, 1985; emergency amendments at 9 Ill. Reg. 3825, effective March 13, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 6181, effective April 24, 1985; amended at 9 Ill. Reg. 14291, effective September 5, 1985; amended at 10 Ill. Reg. 4835, effective March 6, 1986; amended at 11 Ill. Reg. 4638, effective March 10, 1987; amended at 12 Ill. Reg. 5306, effective March 8, 1988; emergency amendments at 12 Ill. Reg. 6981, effective April 4, 1988, for a maximum of 150 days; emergency amendments at 12 Ill. Reg. 10525, effective June 7, 1988, for a maximum of 150 days; emergency amendments at 12 Ill. Reg. 15982, effective September 27, 1988; November 4, 1988; amended at 13 Ill. Reg. 8419, effective May 19, 1989; emergency amendments at 13 Ill. Reg. 12643, effective July 14, 1989, for a maximum of 150 days; emergency amendments at 13 Ill. Reg. 14085, effective September 4, 1989, to expire January 1, 1990; emergency amendment at 13 Ill. Reg. 15118, effective September 11, 1989, for a maximum of 150 days.

Section 810.20 Snagging
EMERGENCY

- a) Anglers are permitted only one pole and line device to which can be attached no more than two hooks.

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENT

b) Species of Fish and Snagging Catch Limit.

- 1) Only the following species of fish and catch limit may be taken by snagging:

Carp - no catch limit

Buffalo - no catch limit

Freshwater Drum - no catch limit

Salmon (coho and chinook only) - 5 daily

Paddlefish - 2 per day

Bowfin - no catch limit

Gizzard shad - no catch limit

Carp suckers - no catch limit

Longnose gar - no catch limit

Shortnose gar - no catch limit

Suckers - no catch limit

- 2) No sorting of snagged salmon and paddlefish is permitted. Every salmon 10 inches in total length or longer and paddlefish taken by snagging must be kept and included in the daily catch limit.

c) Waters Open to Snagging and Snagging Season.

- 1) Snagging for fish is permitted year-round within a 300 yard downstream limit below all locks and dams of the Illinois and Mississippi Rivers.

- 2) Snagging for fish is permitted year-round within a 100 yard limit upstream or downstream of the dam at Horseshoe Lake in Alexander County.

- 3) Snagging for chinook and coho salmon only is permitted from the following Lake Michigan shoreline areas from October 1 through December 31; however, no snagging is allowed at any time within 200 feet of a moored watercraft or as posted:

- A) Lincoln Park Lagoon from the Fullerton Avenue Bridge to the southern end of the Lagoon.

DEPARTMENT OF CONSERVATION

NOTICE OF EMERGENCY AMENDMENT

- B) Waukegan Harbor.

- C) Winnetka Power Plant discharge area.

- D) Jackson Harbor (Inner and Outer Harbors).

- E) The-Waukegan-Power-Plant-discharge-area.

- d) Disposition of Snagged Salmon and Paddlefish. All snagged salmon and paddlefish must be removed from the area from which they were taken and disposed of properly, in accordance with Section 2.1 of the Fish Code of 1971.

(Source: Emergency Amendment at 13 Ill. Reg. 15118, effective Sept. 11, 1989, for a maximum of 150 days)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF REFUSAL
TO MEET THE OBJECTION OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

1) The Heading of the Part: Licensing Standards For Group Day Care Homes

2) Code Citation: 89 Ill. Adm. Code 408

Section Numbers:	Action:
408.1	Refusal
408.5	Refusal
408.10	Refusal
408.15	Refusal
408.20	Refusal
408.25	Refusal
408.30	Refusal
408.35	Refusal
408.40	Refusal
408.45	Refusal
408.50	Refusal
408.55	Refusal
408.60	Refusal
408.70	Refusal
408.75	Refusal
408.80	Refusal
408.85	Refusal
408.90	Refusal
408.95	Refusal
408.100	Refusal
408.105	Refusal
408.115	Refusal
408.120	Refusal
408.125	Refusal
408.130	Refusal
408.135	Refusal
408. Appendix A	Refusal
408. Appendix B	Refusal
408. Appendix C	Refusal
408. Appendix D	Refusal

4) Date Notice of Proposed Rules Published in the Register (if applicable):

September 2, 1988, 12 Ill. Reg. 13757
(issue date)

5) Date JCAR Statement of Objection Published in the Register:

August 18, 1989, 13 Ill. Reg. 13277
(issue date)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF REFUSAL
TO MEET THE OBJECTION OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

6) Summary of Action Taken by the Agency: The Joint Committee has objected to proposed 89 Ill. Adm. Code 408, Licensing Standards For Group Day Care Homes, with the exception of Sections 408.65(d) and 408.110 based on its contention that the rules violate legislative intent of Section 2.20 of the Child Care Act of 1969 by being overly stringent in setting forth a detailed regulatory scheme for a new class of day care providers, when the statute was only enacted to increase a day care provider's maximum allowable number of children to enable the provider to provide before and after school care for school-aged children.

The primary objective of P.A. 84-208 -- permitting up to 12 children to be cared for in a family home -- cannot be achieved without a regulatory scheme such as Part 408. Therefore, the Department refuses to modify or withdraw 89 Ill. Adm. Code 408 in response to the objection of the Joint Committee.

DEPARTMENT OF COMMERCE AND COMMUNITY AFFAIRS

NOTICE OF REFUSAL TO MEET THE OBJECTION OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) The Heading of the Part: Training Services for the Disadvantaged
- 2) Code Citation: 56 Ill. Adm. Code 2610
- 3) Section Numbers: 2610.100 Action: Refusal
- 4) Date Notice of Proposed Amendments Published in the Register: April 7, 1989, 13 Ill. Reg. 4366.
- 5) Date JCAR Statement of Objection Published in the Register: August 18, 1989, 13 Ill. Reg. 13282.
- 6) Summary of Action Taken by the Agency:

The Joint Committee on Administrative Rules (JCAR) issued an objection to the rulemaking cited above at its July 28, 1989 meeting because in their opinion the rules fail to provide clear and precise performance standards used to evaluate adult and youth training programs under JTPA.

The department maintains that the proposed rulemaking was sufficiently clear and that the affected parties had a detailed familiarity with the policies and procedures of the department with respect to performance standards. In fact the language of the rulemaking represented an increased level of detail over what had been approved by the Joint Committee in previous years.

During the prehearing the JCAR staff reviewer was provided with a copy of the "Guide for Setting JTPA Title II-A and Title III (EDWAA) Performance Standards for PY'89, March 1989", issued by the Office of Strategic Planning and Policy Development Employment and Training Administration, United States Department of Labor which contains guidelines for the establishment of performance standards systems. The department stated that it was willing to include an incorporation by reference to the Guide as part of its current rulemaking, but this was not possible due to the requirements of Section 6.02(b) of the Illinois Administrative Procedure Act (IAPA). The department will not withdraw the rulemaking because it must take effect as soon as possible and modification is not an option because of the IAPA. To address the concerns of the Joint Committee, the department will initiate another rulemaking to incorporate the guide in accordance with the provisions of the IAPA.

OFFICE OF THE STATE FIRE MARSHAL

NOTICE OF REFUSAL
TO MEET THE OBJECTION OF THE JOINT COMMITTEE ON ADMINISTRATIVE RULES

- 1) The Heading of the Part: Storage, Transportation, Sale and Use of Petroleum and Other Regulated Substances
- 2) Code Citation: 41 Ill. Adm. Code 170 Action:
- 3) Section Numbers: 170.10 Refusal
170.71 Refusal
- 4) Date Notice of Proposed Rules Published in the Register:
February 10, 1989, 13 Ill. Reg. 1756
(issue date)
- 5) Date JCAR Statement of Objection Published in the Register:
August 18, 1989, 13 Ill. Reg. 13288
(issue date)
- 6) Summary of Action Taken by the Agency:

The Office of the State Fire Marshal shall retain heating oil tanks in its definition of "underground storage tank". It has the authority to do so because 40 CFR 280 and 281 (which the definition is adopted pursuant to) allows states to be more stringent in their adoption of the Federal Code. Also, Ill. Rev. Stat. 1987, ch. 127, par. 154 allows the Office of the State Fire Marshal to adopt the Federal Code so that it is merely "identical in substance."

ILLINOIS REGISTER

DEPARTMENT OF REHABILITATION SERVICES

NOTICE OF REFUSAL
TO MEET THE OBJECTION OF THE JOINT COMMITTEE
ON ADMINISTRATIVE RULES1) The Heading of the Part: Total Life Planning Program2) Code Citation: 89 Ill. Adm. Code 895

<u>Section Numbers:</u>	<u>Action:</u>
895.10	refusal
895.20	refusal
895.30	refusal
895.40	refusal
895.50	refusal
895.60	refusal
895.70	refusal

4) Date Notice of Proposed Rules Published in the Register:March 17, 1989, 13 Ill. Reg. 3310
(issue date)5) Date JCAR Statement of Objection Published in the Register:August 18, 1989, 13 Ill. Reg. 13302
(issue date)6) Summary of Action Taken by the Agency:

The Joint Committee has objected to these rules because DORS has implemented the Total Life Planning Program prior to completion of required rulemaking procedures of Section 5.01 of the Illinois Administrative Procedure Act (IAPA).

DORS originally implemented the Total Life Planning Program pursuant to federal grant #086DH5007 from the United States Office of Education called Innovative Programs for Severely Handicapped Children: Total Life Planning Deaf/Blind. When the grant expired, DORS chose not to interrupt services to these deaf/blind individuals, but determined to continue sponsorship of the program under DORS' current generalized grant of authority.

DORS admits implementation of this program prior to completion of required rulemaking procedures of the IAPA, but feels that it is in the best interest of the deaf/blind population currently being served to respectfully refuse to modify or withdraw this rulemaking, so that services shall not be interrupted or discontinued.

ILLINOIS REGISTER

COMPTROLLER

NOTICE OF CORRECTIONS TO NOTICE ONLY

- 1) Heading of the Part: Public Radio and Television Station Grants
- 2) Code Citation: 74 Ill. Adm. Code 280
- 3) The Notice of Adopted Amendment being corrected appeared at 13 Ill. Reg. 14038, dated September 8, 1989.
- 4) The information being corrected is as follows:

Notice of Proposal Published in Illinois Register: April 21, 1989, 13 Ill. Reg. 5314.

Summary and Purpose of Amendment: To clarify the requirement that each station seeking a grant must submit a Preliminary Certification Statement indicating that the station has met the minimum grant criteria of the Corporation for Public Broadcasting before applying for a grant.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

1) Heading of the Part:

Illinois Health and Hazardous Substances Registry

2) Code Citation:

77 Ill. Adm. Code 840

3) Register Citation to Notice of Proposed Amendments:

This issue of the Illinois Register.

4) Date, Time and Location of Public Hearing:

October 26, 1989

11:00 a.m.

First Floor Training Room

Illinois Department of Public Health

525 West Jefferson Street

Springfield, Illinois 62761

5) Other Pertinent Information:

This hearing will be for the sole purpose of gathering public comment on the proposed amendments. Persons interested in presenting testimony at this hearing are advised that the Department will adhere to the following procedures in the conduct of the hearing:

1. Each person presenting oral testimony shall provide to the Hearing Officer a written (preferably typed) copy of such testimony at the time the oral testimony is presented. No oral testimony shall be accepted without such written copy of the testimony being provided.
2. Each person presenting oral testimony will be limited to 20 minutes for the presentation of such testimony.
3. No person will be recognized to speak for a second time until all persons wishing to testify have done so. All testimony shall conclude at the specific times except that an individual in the midst of presenting testimony shall be allowed to complete the testimony.
4. In order to provide for a balanced presentation of views and to facilitate the orderly conduct of the hearing, the Hearing Officer may impose such other rules of procedure, including the order of call of witnesses, as deemed necessary.

DEPARTMENT OF PUBLIC HEALTH

NOTICE OF PUBLIC HEARING ON PROPOSED AMENDMENTS

6) Name and Address of Agency Contact Person:

Questions regarding these proposed amendments or public hearings shall be directed to:

Mr. Robert John Kane

Administrative Rules Coordinator

Illinois Department of Public Health

525 West Jefferson, Second Floor

Springfield, Illinois 62761

JOINT COMMITTEE ON ADMINISTRATIVE RULES
ILLINOIS GENERAL ASSEMBLY

SECOND NOTICES RECEIVED

The following second notices were received by the Joint Committee on Administrative Rules during the period of September 5, 1989 through September 8, 1989 and have been scheduled for review by the Committee at its October meeting. Other items not contained in this published list may also be considered by the Joint Committee at its October meeting. Members of the public wishing to express their views with respect to a proposed rule should submit written comments to the Joint Committee at the following address: Joint Committee on Administrative Rules, 509 South Sixth Street, Room 500, Springfield, IL 62701.

Second Notice Expires	Agency and Rule	Start of First Notice	Scheduled for Consideration by JCAR
10/20/89	Department of Rehabilitation Services, Similar Benefits (89 Ill. Adm. Code 567)	6/30/89 13 Ill. Reg. 10175	October, 1989
10/20/89	Department of Commerce and Community Affairs, Enterprise Zone Program (14 Ill. Adm. Code 520)	4/14/89 13 Ill. Reg. 4985	October, 1989
10/20/89	Department of Rehabilitation Services, Post-Employment Services (89 Ill. Adm. Code 622)	6/2/89 13 Ill. Reg. 8387	October, 1989

PROCLAMATION

89-375

INTERNATIONAL VISITORS MONTH (Revised)

WHEREAS, the International Visitors Center (IVC) of Chicago was established in 1952 as an organization of volunteers to assist in welcoming international visitors to Chicago; and

WHEREAS, the purpose of the International Visitors Center is to serve as a catalyst for the exchange of ideas and cultural understanding and to promote commerce and goodwill between people of other nations and citizens of Chicago; and

WHEREAS, the International Visitors Center for 37 years has provided thousands of Chicagoans the opportunity to represent their city by serving as hosts of 52,000 visitors throughout the world; and

WHEREAS, through its International Women Associates program, the International Visitors Center has enhanced the experience of thousands of women of all nationalities residing in Chicago; and

WHEREAS, the International Visitors Month has united and brought world-wide attention to the important role of international visitors to Chicago's business community, international organizations and individual citizens;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim October 1989 as INTERNATIONAL VISITORS MONTH in Illinois, in commemoration of the International Visitors Centers' 37th Anniversary.

Issued by the Governor September 1, 1989.

Filed with the Secretary of State September 11, 1989.

89-390

FOOD SERVICE EMPLOYEES WEEK

WHEREAS, an integral part of the complete realm of services rendered to hospital patients is the food service; and

WHEREAS, a food service staffed by conscientious professionals who diligently work to provide food that is appetizing, nutritious and cost efficient, sometimes provides the brightest spot in a patient's day; and

WHEREAS, menu planners, chefs, cooks, administrators, dietitians, cafeteria staff, aides and volunteers work in conjunction with other professionals to provide the best possible patient care;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim October 1-8, 1989, as FOOD SERVICE EMPLOYEES WEEK in Illinois, recognizing the vital contributions health care food service employees make to the citizens of our state.

Issued by the Governor September 1, 1989.

Filed with the Secretary of State September 11, 1989.

89-391

JOSEPH CARDINAL GLEMP DAY

WHEREAS, His Eminence Joseph Cardinal Glemp, Primate of Poland and Archbishop of Gniezno-Warsaw, is being honored in Chicago for his distinguished service to the Church and his intrepid leadership of the Polish people; and

WHEREAS, his visit is especially meaningful to our many citizens of Polish heritage and is an inspiration to all who dedicate themselves to a life of service; and

WHEREAS, this tribute has been organized by the Catholic League for Religious Assistance to Poland, a group that is proud to keep its ties to its homeland strong and vital while contributing immeasurably to life in America and to Illinois in particular;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim September 22, 1989, as JOSEPH CARDINAL GLEMP DAY in Illinois, and I take great pride and pleasure in welcoming this distinguished visitor to Illinois on behalf of all our citizens.

Issued by the Governor September 1, 1989.

Filed with the Secretary of State September 11, 1989.

89-392

LYRIC OPERA MONTH

WHEREAS, on September 16, 1989, Lyric Opera of Chicago begins its Gala 35th Anniversary season with a performance of "Iosca," starring the celebrated artists Luciano Pavarotti, Eva Marton, and Siegmund Nimsgern; and

WHEREAS, in recent years, Lyric Opera of Chicago has become critically acclaimed as one of the greatest opera companies in the world. It is universally praised for the quality of its productions, as well as for its tremendous audience support; and

WHEREAS, each year Lyric Opera of Chicago hosts visitors not only from the United States but from all over the world, who come to Chicago to experience one of the state's most precious cultural assets;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim September 1989 as LYRIC OPERA MONTH in Illinois, in recognition of their special anniversary year.

Issued by the Governor September 1, 1989.

Filed with the Secretary of State September 11, 1989.

89-393

OSTEOPATHIC MEDICINE WEEK

WHEREAS, the osteopathic medical profession for more than 100 years has been dedicated to the preservation of good health for all Americans; and

WHEREAS, osteopathic health care is a distinctive branch of mainstream medical care, and Doctors of Osteopathy are fully licensed physicians, psychiatrists and other specialists who stress the unity of all body systems and emphasize the importance of the musculoskeletal system and preventive health care; and

WHEREAS, osteopathic physicians believe that good health for the whole family, including senior citizens, is the best approach to health care; and

WHEREAS, osteopathic health care salutes older Americans acknowledging that this group of people is becoming the largest user of health care, and by the year 2000 one out of every eight Americans will be over the age of 65; and

WHEREAS, Doctors of Osteopathy have concentrated on providing health care services to underserved areas by practicing in communities with less than 20,000 population in rural and inner city areas;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim September 10-16, 1989, as OSTEOPATHIC MEDICINE WEEK in Illinois, in accordance with the national observance.

Issued by the Governor September 1, 1989.

Filed with the Secretary of State September 11, 1989.

89-394

VEGETARIAN DAY

WHEREAS, there are many motivations for maintaining a vegetarian lifestyle such as health, humanitarianism, economics, ecology, and ethics; and

WHEREAS, the American Dietetic Association affirms that a vegetarian diet is nutritionally complete and healthy for anyone including athletes, pregnant women, children, and infants; and

WHEREAS, the U.S. Surgeon General recommends consumption of less saturated fat and cholesterol and consumption of more complex carbohydrates and fiber; and

WHEREAS, a vegetarian lifestyle provides economic benefits for the consumer and the country in the form of lower food, medical, and energy costs;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim October 1, 1989, as VEGETARIAN DAY in Illinois, and urge all citizens to join in this observance to increase awareness of vegetarianism.

Issued by the Governor September 1, 1989.

Filed with the Secretary of State September 11, 1989.

89-395

EMERGENCY MEDICAL SERVICES WEEK

WHEREAS, the important role of the State of Illinois as a leader in the provision of emergency medical services and trauma care has been emphasized by the Legislature; and

WHEREAS, since 1971, the Illinois Department of Public Health has coordinated and integrated all activities involving emergency medical systems; and

WHEREAS, Illinois continues to actively work to ensure emergency medical services are available to all citizens;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim September 17-23, 1989, as EMERGENCY MEDICAL SERVICES WEEK in Illinois. On behalf of the citizens of our state, I commend those engaged in emergency medical services, both in the prehospital and hospital sectors, for their contributions to the health and welfare of all Illinoisans.

Issued by the Governor September 5, 1989.

Filed with the Secretary of State September 11, 1989.

89-396

EUNICE W. JOHNSON DAY

WHEREAS, the Variety Club Women of Illinois, Tent No. 26, the charity that is comprised of "the heart of show business that helps needy children," will honor Eunice W. Johnson on Sunday September 17, 1989, at a luncheon at the Hyatt Regency Chicago; and

WHEREAS, the proceeds from this event will benefit all children's charities in the Chicago and suburban areas; and

WHEREAS, Eunice W. Johnson, Secretary-Treasurer of the Johnson Publishing Company and Producer-Director of the Ebony Fashion Fair, is a loyal and dear friend of the many children's charities that are recipients of Variety's financial assistance; and

WHEREAS, during this luncheon, the Variety Club Women of Illinois will pay tribute to Mrs. Johnson;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim September 17, 1989, as EUNICE W. JOHNSON DAY in Illinois, in recognition of the loyal and dedicated service she has given to these worthy causes.

Issued by the Governor September 5, 1989.

Filed with the Secretary of State September 11, 1989.

89-397

GEORGE MITCHELL DAY

WHEREAS, Senator George Mitchell has distinguished himself as an attorney for the Justice Department, as a federal judge and as a Senator from the State of Maine; and

WHEREAS, George Mitchell was honored by his fellow Democratic Senators by being elected Senate Majority leader; and

WHEREAS, George Mitchell has been a supporter of several charitable causes, especially St. Jude Children's Research Hospital in Memphis, Tennessee; and

WHEREAS, St. Jude and its founder, Danny Thomas, are honoring

George Mitchell in Chicago on Saturday, September 9, 1989, with a dinner in recognition of his outstanding leadership, his support for St. Jude Hospital, and the honor that he has brought to his Lebanese heritage;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim September 9, 1989, as GEORGE MITCHELL DAY in Illinois.

Issued by the Governor September 5, 1989.

Filed with the Secretary of State September 11, 1989.

89-398

MAYNARD I. WISNER DAY

WHEREAS, Maynard I. Wisner is an outstanding member of the Jewish community in both the United States and countries abroad; and

WHEREAS, he is president of the board of the Jewish Federation of Metropolitan Chicago and the Jewish United Fund, and he serves as co-chairman of the Israel Task Force of the National Jewish Community Relations Advisory Council; and

WHEREAS, he is past chairman and now honorary chairman of the Jewish Community Relations Council of the Jewish United Fund and is past national president and now honorary president of the American Jewish Committee; and

WHEREAS, he will receive the Fourth Annual Humanitarian Award from the Holocaust Memorial Foundation for his dedication to the Jewish causes and his unyielding civic responsibility;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim September 17, 1989, Mr. Wisner's birthday, as

MAYNARD I. WISNER DAY in Illinois, in honor of his service as a citizen of our state, not only to the Jewish community, but to the many people who have benefitted from his selflessness.

Issued by the Governor September 5, 1989.

Filed with the Secretary of State September 11, 1989.

89-399

SAFETY TOWN WEEK

WHEREAS, the National Safety Town Center is a non-profit organization dedicated to promoting the importance of preschool and early childhood safety education; and

WHEREAS, the Safety Town program objective include introducing safety awareness to young people; involving teenagers as volunteer instructors to further their awareness of children and safety; helping parents understand their children's physical and mental development as relates to safety capabilities; and providing opportunities for business, industry, organizations, and city and school officials to work together in organizing and conducting this extremely important program for the community; and

89 WHEREAS, the safety of our most precious resource, our children, is of great concern to everyone;
 THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim September 17-23, 1989, as SAFETY TOWN WEEK in Illinois, and call upon our citizens to join in this important program.

Issued by the Governor September 5, 1989.
 Filed with the Secretary of State September 11, 1989.

89-400

TALK ABOUT PRESCRIPTIONS MONTH

WHEREAS, the improper use of prescription medicine is so pervasive in the United States that it is called America's "other" drug problem, and up to half of the medicines prescribed are used incorrectly, contributing to prolonged illness, avoidable side effects and interactions, unnecessary hospitalizations, and even death; and
 WHEREAS, more than 200 million prescriptions are written annually for children and teenagers, and America's older consumers make up about 12 percent of the population but consume nearly 30 percent of all medicines--nearly 400 million prescriptions a year; and

WHEREAS, about one in every three Americans is receiving no information from their health care professionals about their prescribed medications and approximately 96 percent of patients don't ask questions about their medicines; and

WHEREAS, the National Council on Patient Information and Education and medical, pharmacy, nursing, dental, hospital, voluntary health and human services agencies, government and consumer organizations support a national effort to promote safe and effective medicine use by citizens of all ages in Illinois, and will participate with local public awareness campaigns in October 1989 with the theme, "Speak Up America: Talk About Prescriptions";

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim October 1989 as TALK ABOUT PRESCRIPTIONS MONTH in Illinois, and call upon all citizens to observe this important cause.

Issued by the Governor September 5, 1989.
 Filed with the Secretary of State September 11, 1989.

89-401

CERTIFIED PROFESSIONAL SECRETARIES MONTH

WHEREAS, secretaries who attain the Certified Professional Secretaries rating have received one of the highest honors available in their profession. Professionals in government, business and industry recognize that secretaries who have such a rating can be of valuable service to them; and

WHEREAS, to obtain the certification, secretaries must satisfactorily demonstrate their judgment, understanding and administrative capabilities in a two-day, six-part examination administered by the Institute for Certifying Secretaries. They must have knowledge and proficiency in business relationships, business and public policy, economics, management, communications, decision-making, financial analysis and office procedures; and

WHEREAS, the Certified Professional Secretaries in Illinois are a boon to all who employ them. Their high standards help those they work for and all others who benefit from their services;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim October 1989 as CERTIFIED PROFESSIONAL SECRETARIES MONTH in Illinois. I congratulate all Illinois secretaries who have earned this distinguished rating and all who are striving for the honor.

Issued by the Governor September 6, 1989.
 Filed with the Secretary of State September 11, 1989.

89-402

RESPECT LIFE WEEK

WHEREAS, the Preamble of the Constitution of the United States was designed for the people of this land to "secure the blessings of liberty to ourselves and our posterity"; and
 WHEREAS, the Declaration of Independence states that we are endowed by our Creator with certain inalienable rights, including the right to life; and

WHEREAS, the life of each person is sacred--the young and the old, the healthy and the sick, the gifted and disadvantaged; and
 WHEREAS, the purpose of Respect Life Week is to remind the American people of the dignity of human life;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim October 1-8, 1989, as RESPECT LIFE WEEK in Illinois.

Issued by the Governor September 8, 1989.
 Filed with the Secretary of State September 11, 1989.

89-403

WOMEN IN CONSTRUCTION WEEK

WHEREAS, this year marks the 35th anniversary of the founding of the National Association of Women in Construction (NAWIC). Nearly 9,000 members nationwide contribute their expertise to their communities and to the construction industry; and

WHEREAS, the NAWIC is dedicated to furthering the education of women in their careers by providing programs and services. Young people are encouraged to pursue industry careers in architecture, civil engineering and numerous other fields through

scholarships provided by NAMIC;

THEREFORE, I, James R. Thompson, Governor of the State of Illinois, proclaim September 17-23, 1989, as WOMEN IN CONSTRUCTION WEEK in Illinois in recognition of the contributions women have made to the construction industry.

Issued by the Governor September 8, 1989.

Filed with the Secretary of State September 11, 1989.

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ICAR - Joint Committee on Administrative Rules

ACTION CODES

A	- Adopted Rule
AR	- Adopted Repealer
C	- Notice of Corrections
CC	- Codification Changes
E	- Emergency Rule
ER	- Emergency Repealer
M	- Modification to meet ICAR objections
O	- ICAR Statement of Objections
P	- Proposed Rule
PF	- Prohibited Filing Ordered by ICAR
PP	- Peremptory or Court ordered Rules
PR	- Proposed Repealer
R	- Refusal to meet ICAR objection
RC	- Statement of Recommendation
S	- Suspension ordered by ICAR
W	- Withdrawal to meet ICAR objections

EXAMPLE:

AGRICULTURE, DEPARTMENT OF

8 III. Adm. Code 285	III. Grain Insurance Act (P-18048/85; A-6818)					
TITLE	PART	ACTION CODE	PAGE NUMBER	PREVIOUS VOLUME	PAGE NUMBER	ACTION CODE

ALL RULES ARE LISTED BY PART NUMBER AND HEADING ONLY. (FOR ACTION ON SPECIFIC SECTIONS, PLEASE REFER TO THE SECTIONS AFFECTED INDEX.) IF THERE ARE ANY QUESTIONS, PLEASE CONTACT THE ADMINISTRATIVE CODE DIVISION AT (217) 782-9786.

AGING, DEPARTMENT ON

89 III. Adm. Code 240	Community Care Program (P-685) (P-10821/88; O-9594; R-11956; A-11193) (P-13353) (E-13638)
89 III. Adm. Code 230	Older Americans Act Programs (P-14777/88; A-2015) (P-12137/88; A-3054) (P-13119) (P-14499)

AGRICULTURE, DEPARTMENT OF

8 III. Adm. Code 255	Agrichemical Facilities (P-2571; A-13532)
8 III. Adm. Code 110	Animal Diagnostic Laboratory Act (P-19153/88; A-3617)
8 III. Adm. Code 25	Animal Welfare Act (P-19164/88; A-3628)
8 III. Adm. Code 75	Bovine Brucellosis (P-19172/88; A-3636)
8 III. Adm. Code 20	Definitions (P-19178/88; W-2166)
8 III. Adm. Code 85	Diseased Animals (P-19185/88; A-3642)
8 III. Adm. Code 700	Farmland Preservation Act (P-14786/88; A-285) (P-2598; A-10489) (P-17139/88; A-3653)
68 III. Adm. Code 600	Grain Dealers (P-19795/88; A-3665)
8 III. Adm. Code 80	III. Bovine Tuberculosis Eradication Act (P-19196/88; A-3676)
8 III. Adm. Code 90	III. Dead Animal Disposal Act (P-19201/88; A-3681)
8 III. Adm. Code 115	III. Pseudorabies Control Act (P-19218/88; A-3685)
8 III. Adm. Code 230	III. Seed Law (P-3511; A-10499) (E-4015)
68 III. Adm. Code 610	Livestock Dealer Licensing (P-19205/88; A-3690)
8 III. Adm. Code 125	Ment & Poultry Inspection Act (PP-228) (PP-2160) (P-19211/88; A-3696)
2 III. Adm. Code 700	Organizational Chart, Description, Rulemaking Procedure, & Programs (A-5066)
8 III. Adm. Code 505	Public Grain Warehouse & Warehouse Receipts Act (P-19806/88; A-3703)
8 III. Adm. Code 105	Swine Disease Control & Eradication Act (P-20309/88; A-3715)

ALCOHOLISM AND SUBSTANCE ABUSE, DEPARTMENT OF

Driving Under the Influence Programs (P-22265/88; A-7274)

ATTORNEY GENERAL

14 III. Adm. Code 470
Retail Advertising (P-15239/88; A-11441)

AUDITOR GENERAL

74 III. Adm. Code 420
Code Regulations (P-11983)

BANKS AND TRUST COMPANIES, COMMISSIONER OF

38 III. Adm. Code 350
Loan Agreements Providing for a Bank to Share in Profits, Income or Earnings (P-12163)
Powers Incidental & Germane to Carrying on a General Banking Business (P-8737)
38 III. Adm. Code 320
Use of a State Bank's Corporate Name in Identification & Communication (P-2889)
38 III. Adm. Code 303

CAPITAL DEVELOPMENT BOARD

44 III. Adm. Code 910
Procurement Practices (P-1917; A-8403)
71 III. Adm. Code 40
Standards for Award of Grants Elementary & Secondary Schools Capital Assistance Program (P-1283; A-6973)

CARNIVAL-AMUSEMENT SAFETY BOARD

56 III. Adm. Code 6000
Carnival & Amusement Ride Inspection Law (P-7845) (E-8025) (P-13993)

CENTRAL MANAGEMENT SERVICES, DEPARTMENT OF

Day Care (P-19223/88; A-4644)
89 III. Adm. Code 1300
Ment & Fitness (P-1639; A-12970) (P-15813/88; A-3722) (P-10569/88; A-10820)
80 III. Adm. Code 302
Pay Plan (P-20584/88; RC-1254) (P-1296; A-8849) (P-2892; A-11451) (PP-8080)
80 III. Adm. Code 310
Pay Plan (P-10725; C-12647) (E-10967; O-14136) (P-11117) (E-11854) (PP-12887) (PP-8970) (P-10725; C-12647) (E-10967; O-14136) (P-11117) (E-11854) (PP-12887)
80 III. Adm. Code 2150
Service-Connected Days Benefit Administration (P-10285/88; A-2402) (P-6853)
80 III. Adm. Code 2650
Solicitation for Charitable Payroll Deductions (P-6871/88; O-1256; R-3411; A-3330)
80 III. Adm. Code 2110
State of Ill. Dependent Care Assistance Plan (P-1; A-9259) (E-214)
44 III. Adm. Code 5040
State Vehicles & Garage (P-4071; A-13829)

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

89 III. Adm. Code 334
Administration & Funding of Community-Based Services to Youth (P-11915/88; A-6986)
89 III. Adm. Code 385
Background Checks (P-13744/88; A-5917)
89 III. Adm. Code 431
Confidentiality of Personal Information of Persons Served by the Department (P-11922/88; O-22457/88; R-2532; A-2407)
89 III. Adm. Code 310
Delivery of Youth Services Funded by the Department of Children & Family Services (P-11935/88; O-3412; RC-3414; R-7483; A-7308)
89 III. Adm. Code 437
Department of Children & Family Services Employee Conflict of Interest (P-13752/88; A-3339)
89 III. Adm. Code 408
Licensing Standards for Group Day Care Homes (P-13757/88; O-13277; R-15123; A-14828)
89 III. Adm. Code 357
Purchase of Service (P-13807/88; A-3344)
89 III. Adm. Code 300
Reports of Child Abuse & Neglect (P-11953/88; O-22472/88; R-2535; A-2419)
89 III. Adm. Code 432
Research Involving Children & Families (P-5225)
89 III. Adm. Code 302
Services Delivered by the Department (P-7847) (P-13814/88; W-8115) (P-14508)

CIVIL SERVICE SYSTEM, STATE UNIVERSITIES

80 III. Adm. Code 250
State Universities Civil Service System (P-1921) (P-17569/88; A-7324)

COLLEGES AND UNIVERSITIES, BOARD OF GOVERNORS OF STATE

44 III. Adm. Code 530
Joint Rules of the Board of Regents, the Board of Governors of State Colleges & Universities, the Board of Trustees of the University of Ill., & the Board of Trustees of Southern Ill. University: Procurement & Bidding (P-2648)
2 III. Adm. Code 5025
Public Information, Rulemaking & Organization (AR-3742) (A-3747)

ILLINOIS REGISTER

VOL. 13, ISSUE #38

1989 CUMULATIVE INDEX

SEPTEMBER 22, 1989

COMMERCE AND COMMUNITY AFFAIRS, DEPARTMENT OF

- 14 Ill. Adm. Code 630 Corridors of Opportunity Program (P-4987/88; A-4164)
- 14 Ill. Adm. Code 525 Economic Development Area Tax Increment Allocation Financing (P-13356) (E-13649)
- 56 Ill. Adm. Code 2625 Economic Dislocation & Worker Adjustment Assistance (P-3513; A-13830) (E-4019)
- 47 Ill. Adm. Code 160 Emergency Shelter Grants Program (P-9271/88; A-2024)
- 14 Ill. Adm. Code 520 Enterprise Zone Program (P-4985)
- 14 Ill. Adm. Code 590 Ill. Large Business Development Program (P-15249/88; A-2028)
- 14 Ill. Adm. Code 570 Ill. Small Business Development Program (P-20714/87; A-58)
- 14 Ill. Adm. Code 620 Labor-Management Program (P-14797/88; A-1758)
- 56 Ill. Adm. Code 2600 Service Delivery System & State Responsibilities (P-3515; A-13839) (E-4028) (P-4331)
- 1 Ill. Adm. Code 300 Small Business Impact Analysis Procedures (P-8511/88; A-8407)
- 47 Ill. Adm. Code 1 Standard Grant Administrative Requirements (P-5002)
- 47 Ill. Adm. Code 120 State Administration of the Federal Community Services Block Grant Program (P-8521/88; A-779) (P-1311; A-13562) (P-4075; A-14026)
- 47 Ill. Adm. Code 100 State Administration of the Federal Low-Income Home Energy Assistance Block Grant Program (P-1930; A-10827) (P-4338; A-13568)
- 56 Ill. Adm. Code 2610 Training Services for the Disadvantaged (P-4366; O-13282; R-15125; A-14875) (P-5017)

COMMERCE COMMISSION, ILLINOIS

- 83 Ill. Adm. Code 760 Cellular Radio Exclusion (P-13358)
- 83 Ill. Adm. Code 325 Charitable Contributions (PR-18021/88; AR-4648)
- 83 Ill. Adm. Code 215 Designation of Agent (P-18026/88; A-4650)
- 83 Ill. Adm. Code 435 Electric Utility Forecasting (G.O.215) (PR-3; AR-8417)
- 83 Ill. Adm. Code 281 Energy Assistance (P-1647; A-10841)
- 92 Ill. Adm. Code 1205 Fees & Taxes (P-1665; O-9597; R-11957; A-11460)
- 92 Ill. Adm. Code 1605 Hazardous Materials (P-12673)
- 92 Ill. Adm. Code 1730 Imposition of Sanctions Including the Suspension or Revocation of Licenses &/or the Assessment of Civil Penalties (G.O. 3(R)) (P-9061)
- 92 Ill. Adm. Code 1206 Investigation & Suspension of Rates (P-1671; A-11466)
- 83 Ill. Adm. Code 900 Joint Rules of the Ill. Commerce Commission & the Dept. of Energy & Natural Resources: Residential Conservation Plan (PR-12680)
- 83 Ill. Adm. Code 440 Least-Cost Planning for Electric Utilities (P-3162/88; A-296)
- 83 Ill. Adm. Code 535 Least-Cost Planning for Natural Gas Utilities (P-9314/88; A-7331) (P-12676)
- 92 Ill. Adm. Code 1300 Minimum Rate (PR-14147)
- 83 Ill. Adm. Code 590 Motor Carrier of Property Fitness Standards (P-13381/89; A-4654)
- 92 Ill. Adm. Code 1304 Practice Before the Independent Review Board (P-17045/88; A-4658)
- 92 Ill. Adm. Code 1235 Publication, Posting & Filing of Tariffs, Contracts, Schedules & Related Documents (P-1676; A-11471)
- 83 Ill. Adm. Code 445 Purchase & Sale of Electric Energy from Qualified Solid Waste Energy Facilities (P-13129)
- 92 Ill. Adm. Code 1595 Rail Carrier Contract Rates (PR-20978/88; AR-7564) (P-20974/88; A-7566)
- 92 Ill. Adm. Code 1710 Relocation Towing (P-10)
- 83 Ill. Adm. Code 595 Reports of Accidents or Incidents by Persons Engaged in the Transportation of Gas, or Who Own or Operate Gas Pipeline Facilities (P-16309/88; A-2036)
- 92 Ill. Adm. Code 1435 Sanctions Including Suspension or Revocation of Operating Authorities &/or the Assessment of Civil Penalties (G.O. 54(MC)) (P-9070)
- 83 Ill. Adm. Code 285 Standard Filing Requirements for Electric, Gas, Telephone, Water & Sewer Utilities in Filing for an Increase in Rates (G.O. 210) (P-5229)
- 83 Ill. Adm. Code 757 Telephone Assistance Program (P-14799/88; A-14366)
- 83 Ill. Adm. Code 505 Uniform System of Accounts for Gas Utilities (P-1686; A-10858) (P-13361)
- 83 Ill. Adm. Code 710 Uniform System of Accounts for Telecommunications Carriers (P-19563/88; A-7570) (P-9076)

COMMUNITY COLLEGE BOARD, ILLINOIS

- 23 Ill. Adm. Code 1501 Administration of the Ill. Public Community College Act (P-16313/88; A-1182) (P-3517; A-14904) (P-4087; A-14904) (P-4394; A-14904)

ILLINOIS REGISTER

VOL. 13, ISSUE #38

1989 CUMULATIVE INDEX

SEPTEMBER 22, 1989

COMPTROLLER

- 74 Ill. Adm. Code 280 Public Radio & Television Station Grants (P-19259/88; A-4664) (P-5314; C-15128) (P-19259/88; A-14038)

CONSERVATION, DEPARTMENT OF

- 17 Ill. Adm. Code 870 Aquaculture, Transportation, Stocking, Importation &/or Possession of Aquatic Life (P-3213; A-10503)
- 17 Ill. Adm. Code 2070 Capacity Plates Standards on Various Watercraft (P-12169)
- 17 Ill. Adm. Code 530 Cock Pheasant, Hungarian Partridge, Bobwhite Quail, Rabbit & Crow Hunting (P-4399; A-12796) (P-12925) (E-12985)
- 17 Ill. Adm. Code 2030 Designation of Restricted Waters in the State of Ill. (P-13820/88; A-20472/88; CC-967) (E-2878) (P-4417; A-12814)
- 17 Ill. Adm. Code 960 Dog Training on Non-Department or -Managed Lands (P-7515; A-14921)
- 17 Ill. Adm. Code 730 Dove Hunting (P-2609; A-10513)
- 17 Ill. Adm. Code 590 Duck, Goose & Coot Hunting (P-3221; A-10525) (E-22244/88; O-3462) (P-8139; A-14925) (P-12171)
- 17 Ill. Adm. Code 1590 Falconry & the Captive Propagation of Raptors (P-2622; A-10567)
- 17 Ill. Adm. Code 930 Field Trials on Non-Department Owned or Managed Lands (P-3262; A-10572)
- 17 Ill. Adm. Code 870 Fish Stocking, Importation, &/or Possession of Aquatic Life (PR-3264; AR-10575)
- 17 Ill. Adm. Code 1560 Forest Fire Protection Districts Act, The (P-2626; A-10577) (P-11991)
- 17 Ill. Adm. Code 1530 Forest Products Transportation Act (P-12193)
- 17 Ill. Adm. Code 510 General Hunting & Trapping on Department-Owned or -Managed Sites (P-3268; A-10583)
- 17 Ill. Adm. Code 1010 Ill. List of Endangered & Threatened Fauna (P-20325/88; A-4179)
- 17 Ill. Adm. Code 1050 Ill. List of Endangered & Threatened Flora (P-20335/88; A-3755)
- 17 Ill. Adm. Code 570 Muskrat, Mink, Raccoon, Opossum, Striped Skunk, Weasel, Red Fox, Gray Fox, Coyote, Beaver & Woodchuck (Groundhog) Trapping (P-2632; A-10589) (P-5087/88; A-12034/88; O-3468)
- 17 Ill. Adm. Code 220 North Point Marina (P-731; O-8125; RC-8128; M-9409; A-9269)
- 17 Ill. Adm. Code 230 North Point Marina Vendors (P-4430; A-12826; O-13286)
- 17 Ill. Adm. Code 970 Pigeon Shooting Permits (P-7518; C-10714)
- 17 Ill. Adm. Code 1070 Possession of Specimens or Products of Endangered or Threatened Species (P-8741; A-14934)
- 17 Ill. Adm. Code 110 Public Use of State Parks & Other Properties of the Department of Conservation (P-20363/88; A-3785)
- 17 Ill. Adm. Code 550 Raccoon, Opossum, Striped Skunk, Red Fox, Gray Fox, Coyote & Woodchuck (Groundhog) Hunting (P-3273; A-10598)
- 17 Ill. Adm. Code 810 Sport Fishing Regs. for the Waters of Ill. (P-1690; A-8419) (E-12643) (E-14085) (E-15118)
- 17 Ill. Adm. Code 690 Squirrel Hunting (P-2641; A-10606)
- 17 Ill. Adm. Code 720 Taking of Wild Turkeys - Fall Archery Season, The (P-4435; A-12831)
- 17 Ill. Adm. Code 715 Taking of Wild Turkeys - Fall Gun Season, The (P-7854; A-14950)
- 17 Ill. Adm. Code 710 Taking of Wild Turkeys - Spring Season, The (P-20993/88; A-5090; O-5796)
- 17 Ill. Adm. Code 1535 Timber Harvest Fees (P-12931)
- 17 Ill. Adm. Code 670 White-Tailed Deer Hunting by Use of Bow & Arrow (P-5052; A-12839)
- 17 Ill. Adm. Code 650 White-Tailed Deer Hunting by Use of Firearms (P-4442; A-12853)
- 17 Ill. Adm. Code 740 Woodcock, Snipe, Rail & Teal Hunting (P-4458; A-12869)

CORRECTIONS, DEPARTMENT OF

- 20 Ill. Adm. Code 701 County Jail Standards (P-10737)
- 20 Ill. Adm. Code 720 Municipal Jail & Lockup Standards (P-10747)
- 2 Ill. Adm. Code 850 Public Information, Rulemaking & Organization (A-1510)
- 20 Ill. Adm. Code 107 Records of Committed Persons (P-979; A-6992)
- 20 Ill. Adm. Code 106 Research & Evaluation (P-13365)
- 20 Ill. Adm. Code 502 Safety, Maintenance & Sanitation (P-3528; A-13577)
- 20 Ill. Adm. Code 501 Security (P-7181)

CRIMINAL JUSTICE INFORMATION AUTHORITY, ILLINOIS

Operating Procedures for the Administration of Federal Funds (P-1317; A-5926) (E-1605)

EDUCATION, BOARD OF HIGHER

23 Ill. Adm. Code 1025 Engineering Grant Program (P-14516)
 23 Ill. Adm. Code 1026 Health Services Education Grants Act (P-14521)
 23 Ill. Adm. Code 1000 Ill. Financial Assistance Act for Nonpublic Institutions of Higher Learning (P-14531)

EDUCATION, STATE BOARD OF

23 Ill. Adm. Code 25 Certification (P-8756)
 23 Ill. Adm. Code 202 Disadvantaged Students Funds Plan -- Districts Over 50,000 ADA (PR-13367) (P-13369) (E-13664) (ER-13657)
 23 Ill. Adm. Code 500 Educational Service Centers (P-1730; A-11481)
 23 Ill. Adm. Code 227 Gifted Education (P-4097; A-14957)
 23 Ill. Adm. Code 210 Learning Assessment & School Improvement Plans (P-8766)
 23 Ill. Adm. Code 451 Private Business & Vocational Schools (PR-9082) (P-9133)
 23 Ill. Adm. Code 110 Program Accounting Manual (P-12625/88; A-7610)
 23 Ill. Adm. Code 275 Pupil Transportation (P-12745/88; A-1532)
 23 Ill. Adm. Code 120 Pupil Transportation Reimbursement (P-19266/88; O-3416; R-7815; A-7731)
 23 Ill. Adm. Code 200 Sex Equity (P-19279/88; A-11491)
 23 Ill. Adm. Code 230 Summer School for Gifted & Remedial Education (P-12747/88; A-1535)
 23 Ill. Adm. Code 254 Vocational Education (P-8777/88; A-8459)

EDUCATIONAL FACILITIES AUTHORITY, ILLINOIS

23 Ill. Adm. Code 2310 Functions & Planning Program (P-1319; A-7898)
 2 Ill. Adm. Code 5200 Public Information, Rulemaking & Organization (A-7902)

EDUCATIONAL LABOR RELATIONS BOARD, ILLINOIS

University of Ill. Bargaining Units (P-14504/88; A-14969)

ELECTIONS, STATE BOARD OF

26 Ill. Adm. Code 208 Constitutional Amendments & Statewide Questions of Public Policy (P-5317)
 26 Ill. Adm. Code 201 Established Political Party & Independent Candidate Nominating Petitions (P-5322)
 26 Ill. Adm. Code 100 General Rules & Regs. under the Campaign Financing Act (P-14539)
 26 Ill. Adm. Code 207 Miscellaneous (P-5327) (P-14549)
 26 Ill. Adm. Code 202 New Political Party Nominating Petitions (P-5339)
 26 Ill. Adm. Code 125 Practice & Procedure (P-14556)

EMERGENCY SERVICES AND DISASTER AGENCY

29 Ill. Adm. Code 430 Emergency & Written Notification of an Incident or Accident Involving a Reportable Hazardous Substance (P-17575/88; A-2040)
 29 Ill. Adm. Code 430 Telephone Notification of Hazardous Incidents (PR-17585/88; AR-2049)

EMPLOYMENT SECURITY, DEPARTMENT OF

56 Ill. Adm. Code 2725 Administrative Hearings & Appeals (P-5344; W-11959) (P-11120) (E-11872)
 56 Ill. Adm. Code 2905 Alien Status (P-2229; A-11502)
 56 Ill. Adm. Code 2720 Claims, Adjudication, Appeals & Hearings (P-5362; W-11960) (P-11139) (E-11890)
 56 Ill. Adm. Code 2770 Determination of Unemployment Contributions (P-743; A-11507)
 56 Ill. Adm. Code 2920 Disqualifying Income & Reduced Benefits (P-17592/88; A-1773) (P-22295/88; A-5936) (P-11153) (E-11899)
 56 Ill. Adm. Code 2815 Employees' General Rights & Duties (P-13141) (E-13268)
 56 Ill. Adm. Code 2732 Employment (P-1945; A-8864) (P-12748)
 56 Ill. Adm. Code 2712 General Applications (P-15257/88; O-22482/88; R-945; A-795)
 56 Ill. Adm. Code 2960 General Provisions (P-17; A-5940)
 56 Ill. Adm. Code 2765 Payment of Unemployment Contributions, Interest & Penalties (P-752) (P-5375; W-11961) (P-11155) (E-11911)

ENERGY AND NATURAL RESOURCES, DEPARTMENT OF

Joint Rules of the Ill. Commerce Commission & the Dept. of Energy & Natural Resources; Residential Conservation Plan (PR-12756)

ENVIRONMENTAL PROTECTION AGENCY

2 Ill. Adm. Code 1826 Access to Information of the Ill. Environmental Protection Agency (CC-9497) (A-12041)
 35 Ill. Adm. Code 378 Effluent Disinfection Exemptions (P-12753/88; A-1190)
 35 Ill. Adm. Code 661 General Conditions of Grants for the Financing & Construction of Public Water Supply Facilities (P-1738)
 35 Ill. Adm. Code 283 General Procedures for Stock Testing (PR-16365/8; AR-9501)
 35 Ill. Adm. Code 183 Joint Rules of the Environmental Protection Agency & the Department of Public Health: Certification & Operation of Environmental Laboratories (P-7522)
 35 Ill. Adm. Code 855 Operation of the Hazardous Waste Fee System (P-19834/88; A-13206)
 35 Ill. Adm. Code 260 Policy for Granting Permission to Operate During Periods of Excess Emissions (PR-16336/88; AR-9503)
 35 Ill. Adm. Code 251 Procedures for Collection of Air Pollution Site Fees (E-955) (P-19825/88; A-8867)
 35 Ill. Adm. Code 856 Procedures for Collection of Permit & Inspection Fees (P-21000/88; A-13212)
 2 Ill. Adm. Code 1827 Procedures for Determining and Protecting Confidential Information (CC-9509) (A-12048) (CC-13906)
 35 Ill. Adm. Code 161 Procedures for Determining and Protecting Confidential Information (P-16343/88; A-9505)
 35 Ill. Adm. Code 365 Procedures for Issuing Loans from the Water Pollution Control Revolving Fund (P-18030/88; RC-5798; A-7351)
 35 Ill. Adm. Code 277 Procedures for Measuring Emissions of Carbon Monoxide from Stationary Sources (PR-16346/88; AR-9513)
 35 Ill. Adm. Code 263 Procedures for Measuring Emissions of Particulate Matter from Stationary Sources (PR-16352/88; AR-9515)
 35 Ill. Adm. Code 853 Procedures for Operation of the Non-Hazardous Solid Waste Fee System (A-5945)
 35 Ill. Adm. Code 285 Self-Monitoring & Reporting by Sources of Air Pollution (PR-16365/88; AR-9517)

EXPERIMENTAL ORGAN TRANSPLANTATION PROCEDURES BOARD

Transplantation Program (P-6856)

FARM DEVELOPMENT AUTHORITY, ILLINOIS

Ill. Farm Development Authority (P-5545/88; A-2440) (P-13832/88; A-14376)

FINANCIAL INSTITUTIONS, DEPARTMENT OF

Ill. Credit Union Act (P-14097/88; O-22489/88; R-966; A-3793) (P-4107)

FIRE MARSHAL, OFFICE OF THE STATE

41 Ill. Adm. Code 100 Fire Prevention & Safety (E-582) (P-1323; A-12547)
 41 Ill. Adm. Code 180 Storage, Transportation, Sale & Use of Gasoline & Volatile Oils (P-1754; A-14978) (E-1875; O-5807)
 41 Ill. Adm. Code 170 Storage, Transportation, Sale & Use of Petroleum & Other Regulated Substances (P-1756; O-13288; R-15126; A-14992) (E-1886) (A-5669; O-13305) (A-7744; O-13305) (A-8515) (A-8875; O-13305)

HEALTH CARE COST CONTAINMENT COUNCIL, ILLINOIS

Data Collection (P-13694/88; A-334) (P-8198)

HOUSING DEVELOPMENT AUTHORITY, ILLINOIS

47 Ill. Adm. Code 350 Low Income Housing Tax Credit Allocation (P-15265/88; A-5947)
 47 Ill. Adm. Code 360 Mortgage Credit Certificates (P-19603/88; O-8131; W-13089)
 47 Ill. Adm. Code 310 Multi-family Rental Housing Mortgage Loan Program (P-13371)

ILLINOIS REGISTER

1989 CUMULATIVE INDEX

SEPTEMBER 22, 1989

VOL. 13, ISSUE #38

ILLINOIS BOARD OF TRUSTEES OF THE UNIVERSITY OF

- 44 Ill. Adm. Code 535 Joint Rules of the Board of Regents, the Board of Governors of State Colleges & Universities, the Board of Trustees of the University of Ill., & the Board of Trustees of Southern Ill. University: Procurement & Bidding (P-2766)
- 89 Ill. Adm. Code 1200 Program Content & Guidelines for Division of Services for Crippled Children (P-20613/88; A-9283)

INSURANCE, DEPARTMENT OF

- 50 Ill. Adm. Code 301 Accumulation of Guaranty Fund or Guaranty Capital-Reporting & Accounting of Such Indebtedness (P-2901; A-14042)
- 50 Ill. Adm. Code 401 Accumulation of Guaranty Fund or Guaranty Capital-Reporting & Accounting of Such Indebtedness (P-2905; A-14048)
- 50 Ill. Adm. Code 6302 Definition of Salary (P-15269/88; A-3801)
- 50 Ill. Adm. Code 2502 Fees for Various Certificates Under Section 408 (PR-2234; AR-12053)
- 50 Ill. Adm. Code 601 Foreign & Alien Insurer Annual Audited Financial Reports (P-11985/88; A-2051)
- 50 Ill. Adm. Code 919 Improper Claims Practice (P-13535/88; C-17456/88; A-1204)
- 50 Ill. Adm. Code 2012 Long-Term Care Insurance (P-9181)
- 50 Ill. Adm. Code 2008 Minimum Standards for Individual & Group Medicare Supplement Insurance (P-251; A-8520) (E-586; O-3471)
- 50 Ill. Adm. Code 6701 Notice of Eligibility (P-17617/88; A-5951)
- 50 Ill. Adm. Code 6301 Pension & Examination Procedure (P-14502/88; A-1780)
- 50 Ill. Adm. Code 3113 Premium Fund Trust Account (P-12935)
- 50 Ill. Adm. Code 754 Rules & Rate Filings (P-2057/88; A-1542)
- 50 Ill. Adm. Code 201 Subordinated Indebtedness (P-2909; A-14054)
- 50 Ill. Adm. Code 2801 Surplus Line Business Requirements (P-3531)
- 50 Ill. Adm. Code 2011 Transitional Requirements for the Conversion of Medicare Supplement Insurance Benefits & Premiums to Conform to Medicare Program Revisions (P-13558/88; A-3804)

INVESTMENT, ILLINOIS STATE BOARD OF

- 80 Ill. Adm. Code 2700 State (of Ill.) Employees' Deferred Compensation Plan (P-253; A-9308) (E-629)

LABOR, DEPARTMENT OF

- 56 Ill. Adm. Code 350 Health & Safety (P-5839) (P-15272/88; W-6819)

LABOR RELATIONS BOARD, ILLINOIS EDUCATIONAL

- 80 Ill. Adm. Code 1125 Fair Share Fee Objections (P-16375/88; O-22478/88; R-1905; A-1784)
- 80 Ill. Adm. Code 1100 General Procedures (P-1327)
- 80 Ill. Adm. Code 1105 Hearing Procedures (P-1335)
- 80 Ill. Adm. Code 1110 Representation Procedures (P-1355)
- 80 Ill. Adm. Code 1120 Unfair Labor Practice Proceedings (P-1379)

LABOR RELATIONS BOARD, ILLINOIS STATE/LABOR RELATIONS BOARD, ILLINOIS LOCAL

- 2 Ill. Adm. Code 2500 Public Information, Rulemaking & Organization (A-22210/88; CC-2883)

LOCAL GOVERNMENTAL LAW ENFORCEMENT OFFICERS' TRAINING BOARD, ILLINOIS

- 20 Ill. Adm. Code 1760 Coroners Basic Training (P-13997)
- 20 Ill. Adm. Code 1720 Ill. Police Training Act (P-9641)

LOCAL RECORDS COMMISSION OF COOK COUNTY

- 44 Ill. Adm. Code 4500 Local Records Commission of Cook County (P-7860; C-10715)

LOTTERY, DEPARTMENT OF

- 11 Ill. Adm. Code 1770 Lottery (General) (P-10298/88; O-3419; R-8116; A-7908) (PR-10331/88; AR-7906)

MENTAL HEALTH & DEVELOPMENTAL DISABILITIES, DEPARTMENT OF

- 59 Ill. Adm. Code 119 Minimum Standards for Licensure, Certification, or Approval of Programs Serving Persons with Developmental Disabilities or Mental Illness (P-13377)

ILLINOIS REGISTER

1989 CUMULATIVE INDEX

SEPTEMBER 22, 1989

VOL. 13, ISSUE #38

MENTAL HEALTH & DEVELOPMENTAL DISABILITIES, DEPARTMENT OF (CONT'D)

- 59 Ill. Adm. Code 106 Services Charges (P-18087/88; A-3821)
- 59 Ill. Adm. Code 112 Treatment (P-8208)

MILITARY AFFAIRS, DEPARTMENT OF

- 23 Ill. Adm. Code 3300 Loan of Military Artifacts (P-14809/88; O-3440; R-4957; A-4672)
- 71 Ill. Adm. Code 1510 Rental of National Guard Armories (P-14813/88; O-3442; R-5210; A-5098)
- 71 Ill. Adm. Code 1500 Sale of National Guard Armories & Lands (A-13866)

MINES AND MINERALS, DEPARTMENT OF

- 62 Ill. Adm. Code 1761 Areas Designated by Act of Congress (P-12197)
- 62 Ill. Adm. Code 1800 Bonding & Insurance Requirements for Surface Coal Mining & Reclamation Operations (P-12205)
- 62 Ill. Adm. Code 1700 General (P-12217)
- 62 Ill. Adm. Code 1701 General Definitions (P-12222)
- 62 Ill. Adm. Code 1846 Individual Civil Penalties (P-12248)
- 62 Ill. Adm. Code 1816 Permanent Program Performance Standards-Surface Mining Activities (P-12255)
- 62 Ill. Adm. Code 1817 Permanent Program Performance Standards-Underground Mining Operations (P-12280)
- 62 Ill. Adm. Code 1778 Permit Applications--Minimum Requirements for Legal, Financial, Compliance, & Related Information (P-12303)
- 62 Ill. Adm. Code 1772 Requirements for Coal Exploration (P-12311)
- 62 Ill. Adm. Code 1773 Requirements for Permits & Permit Processing (P-12317)
- 62 Ill. Adm. Code 1774 Revision; Renewal; & Transfer, Assignment, or Sale of Permit Rights (P-12334)
- 62 Ill. Adm. Code 1843 State Enforcement (P-12341)
- 62 Ill. Adm. Code 220 Surface Installation Health & Safety (P-23; A-5955) (P-756; A-13220) (CC-13907)
- 62 Ill. Adm. Code 1779 Surface Mining Permit Applications - Minimum Requirements for Information on Environmental Resources (P-12347)
- 62 Ill. Adm. Code 1780 Surface Mining Permit Application--Minimum Requirements for Reclamation & Operation Plan (P-12352)
- 62 Ill. Adm. Code 1783 Underground Mining Permit Applications--Minimum Requirements for Information on Environmental Resources (P-12366)
- 62 Ill. Adm. Code 1784 Underground Mining Permit Applications--Minimum Requirements for Reclamation and Operation Plan (P-12371)

NUCLEAR SAFETY, DEPARTMENT OF

- 32 Ill. Adm. Code 401 Accrediting Persons in the Practice of Medical Radiation Technology (P-982; A-15005)
- 32 Ill. Adm. Code 700 Dept. of Nuclear Safety Science Scholarship Program (P-9645)
- 2 Ill. Adm. Code 1076 Freedom of Information Procedures (A-7940)
- 32 Ill. Adm. Code 332 Licensing Requirements for Source Material Milling Facilities (P-5874)
- 32 Ill. Adm. Code 400 Notices, Instructions & Reports to Workers; Inspections (P-19840/88; A-13581)
- 32 Ill. Adm. Code 410 Radiation Inspectors & Inspections (P-13841/88; A-342)
- 32 Ill. Adm. Code 350 Radiation Safety Requirements for Industrial Radiographic Operations (P-19851/88; A-13592)
- 32 Ill. Adm. Code 351 Radiation Safety Requirements for Wireline Service Operations & Subsurface Tracer Studies (P-19864/88; A-13605)
- 32 Ill. Adm. Code 360 Use of X-Rays in the Healing Arts Including Medical, Dental, Podiatry, & Veterinary Medicine (P-13858/88; A-803)

POLLUTION CONTROL BOARD

- 35 Ill. Adm. Code 243 Air Quality Standards (P-19290/88; W-2536)
- 35 Ill. Adm. Code 211 Definitions & General Provisions (P-19296/88; W-2537) (P-15294/88; A-10862) (P-13143)
- 35 Ill. Adm. Code 304 Effluent Standards (P-11669/88; A-851) (P-11397/88; A-2060) (P-15815/88; A-5976) (P-18092/88; A-7754) (P-14509/88; A-8880) (P-9204) (P-9421) (P-9656)
- 35 Ill. Adm. Code 615 Existing Activities In A Setback Zone or Regulated Recharge Area (P-14589)
- 35 Ill. Adm. Code 604 Finished Water & Raw Water Quality & Quantity (P-255)
- 35 Ill. Adm. Code 101 General Rules (P-14822/88; O-8135; R-12147; A-12055) (PR-14853/88; AR-12092)
- 35 Ill. Adm. Code 231 Hazardous Air Pollutants (PR-9212)

POLLUTION CONTROL BOARD (CONT'D)

- 35 III. Adm. Code 720 Hazardous Waste Management System: General (P-15327/88; A-362) (P-9661)
 35 III. Adm. Code 106 Hearings Pursuant to Specific Rules (P-14865/88; A-12094) (P-14634)
 35 III. Adm. Code 721 Identification & Listing of Hazardous Waste (P-15347/88; A-382) (P-9683)
 35 III. Adm. Code 725 Interim Standards for Owners & Operators of Hazardous Waste Treatment, Storage & Disposal Facilities (P-15402/88; A-437) (P-9737)
 35 III. Adm. Code 301 Introduction (P-15823/88; A-5984) (P-14152)
 35 III. Adm. Code 601 Introduction (P-262) (P-14641)
 35 III. Adm. Code 728 Land Disposal Restrictions (P-9786)
 35 III. Adm. Code 849 Management of Scrap Tires (P-15828/88; A-7949)
 35 III. Adm. Code 305 Monitoring & Reporting (P-15835/88; A-5989) (P-14159)
 35 III. Adm. Code 616 New Activities In A Setback Zone or Regulated Recharge Area (P-14647)
 35 III. Adm. Code 230 New Source Performance Standards (PR-9223)
 35 III. Adm. Code 215 Organic Material Emission Standards & Limitations (P-15412/88; A-10893) (P-12384)
 35 III. Adm. Code 306 Performance Criteria (P-13173)
 35 III. Adm. Code 309 Permits (P-15839/88; A-5993) (P-14164)
 35 III. Adm. Code 201 Permits & General Provisions (P-5154/88; O-20221/88; R-1624; A-2066) (P-8782)
 35 III. Adm. Code 310 Pretreatment Programs (P-16384/88; A-2463) (P-9426)
 35 III. Adm. Code 702 RCRA & UIC Permit Programs (P-9835)
 35 III. Adm. Code 703 RCRA Permit Program (P-15444/88; A-447) (P-9860)
 35 III. Adm. Code 617 Regulated Recharge Areas (P-14693)
 35 III. Adm. Code 102 Regulatory & Informational Hearings & Proceedings (P-14696)
 35 III. Adm. Code 102 Regulatory & Other Nonadjudicative Hearings & Proceedings (PR-14727)
 35 III. Adm. Code 605 Sampling & Monitoring (P-269; C-2539)
 35 III. Adm. Code 107 Sanctions (PR-14933/88; AR-12116)
 35 III. Adm. Code 307 Sewer Discharge Criteria (P-16396/88; A-1794) (P-7530) (P-9471)
 35 III. Adm. Code 808 Special Waste Classifications (P-13468)
 35 III. Adm. Code 722 Standards Applicable to Generators of Hazardous Waste (P-15449/88; A-452) (P-9905)
 35 III. Adm. Code 724 Standards for Owners & Operators of Hazardous Waste Treatment, Storage & Disposal Facilities (P-15455/88; A-458) (P-9909)
 35 III. Adm. Code 726 Standards for the Management of Specific Hazardous Waste & Specific Types of Hazardous Waste Management Facilities (P-9988)
 35 III. Adm. Code 704 UIC Permit Program (P-17167/88; A-478)
 35 III. Adm. Code 731 Underground Storage Tanks (P-2650; A-9519) (P-6861; A-15010)
 35 III. Adm. Code 809 Waste Hauling (P-13699)
 35 III. Adm. Code 302 Water Quality Standards (P-15844/88; A-5998) (P-14172)
 35 III. Adm. Code 303 Water Use Designations & Site-Specific Water Quality Standards (P-14211)

PRISONER REVIEW BOARD

20 III. Adm. Code 1610 Prisoner Review Board (P-4774/88; A-3063)

PROFESSIONAL REGULATION, DEPARTMENT OF

- 68 III. Adm. Code 1175 Barber, Cosmetology & Esthetics Act of 1985, The (E-6810) (P-7185; A-15054)
 68 III. Adm. Code 1200 Certified Short-hand Reporters Act (P-11993; C-12648)
 68 III. Adm. Code 1400 Clinical Psychologist Licensing Act (E-2519)
 68 III. Adm. Code 1470 Clinical Social Work & Social Work Practice Act (E-5771) (P-5426; A-13867)
 68 III. Adm. Code 1220 Dental Practice Act (P-5867/88; O-3444; RC-3447; R-4306; A-4191) (P-5398; A-15043)
 68 III. Adm. Code 1250 Funeral Directors & Embalmers Act (P-3535; A-14061)
 68 III. Adm. Code 1150 III. Architecture Act (P-14216)
 68 III. Adm. Code 1300 III. Nursing Act, The (P-14236)
 68 III. Adm. Code 1465 III. Speech-Language Pathology & Audiology Practice Act, The (P-1388; A-13882) (E-1616)
 68 III. Adm. Code 1480 III. Structural Engineering Act, The (P-5424; A-13891) (E-5781; O-9605)
 68 III. Adm. Code 1290 Medical Disciplinary Board (PR-15854/88; AR-10923)
 68 III. Adm. Code 1285 Medical Practice Act of 1987 (P-274; O-9601; R-10712; A-10613) (P-8571/88; A-483) (E-651; O-3475) (P-15880/88; A-10925)
 68 III. Adm. Code 1280 Medical Practice Act of 1987 (PR-8536/88; AR-513)
 68 III. Adm. Code 1310 Nursing Home Administrators Licensing Act, The (P-14938/88; O-14120)

CI - 9

PROFESSIONAL REGULATION, DEPARTMENT OF (CONT'D)

- 68 III. Adm. Code 1320 Optometric Practice Act of 1987 (P-8606/88; A-6994)
 68 III. Adm. Code 1360 Podiatric Act, The (P-14963/88; O-3450; RC-3452)
 68 III. Adm. Code 1360 Podiatric Medical Practice Act of 1987 (P-14963/88; O-3450; RC-3452; R-4308; A-3234) (P-14004)
 68 III. Adm. Code 1400 Psychologist Registration Act (P-2913)
 68 III. Adm. Code 1470 Social Workers Registration Act (P-5426)
 68 III. Adm. Code 1500 Veterinary Medicine & Surgery Practice Act (P-18100/88; A-3826)
 68 III. Adm. Code 1910 Procedures (P-8790; O-14125; RC-14130)
 68 III. Adm. Code 1300 Administration of Social Service Programs (P-20649/88; A-3831) (P-4469)
 68 III. Adm. Code 112 Aid to Families with Dependent Children (P-15905/88; A-70) (P-1948) (P-2236; A-8567) (P-4116) (P-20661/88; A-6017) (P-22308/88; A-6017) (P-8246) (P-14741)
 68 III. Adm. Code 113 Aid to the Aged, Blind or Disabled (P-15898/88; A-63) (E-3402) (P-4481; A-12553) (P-5440; A-13609) (P-20654/88; A-6007) (P-22299/88; A-6007) (P-14263) (E-14467)
 68 III. Adm. Code 110 Application Process (P-2931; A-10628) (P-20670/88; A-3836)
 68 III. Adm. Code 111 Assistance Standards (P-15920/88; A-85) (P-20674/88; A-3840)
 68 III. Adm. Code 160 Child Support Enforcement (P-1396; A-7761) (P-20677/88; A-4268) (P-21039/88; A-4268) (P-7867; A-14385) (P-8255)
 68 III. Adm. Code 165 Collections & Recoveries (P-20679/88; A-3843) (P-5450)
 68 III. Adm. Code 116 Crisis Assistance (P-20683/88; A-3847)
 68 III. Adm. Code 170 Demonstration Programs (P-4490; A-14067)
 68 III. Adm. Code 144 Developmental Disabilities Service (P-11999)
 68 III. Adm. Code 141 Drug Manual (P-15483/88; A-516) (P-20370/88; A-3850) (P-7873) (E-8036) (P-9992) (E-10700)
 68 III. Adm. Code 121 Food Stamps (P-3541; A-13619) (P-20686/88; A-3890) (P-13503) (P-14756)
 68 III. Adm. Code 1101 Freedom of Information (A-8885)
 68 III. Adm. Code 101 General Administrative Provisions (P-20694/88; A-3897)
 68 III. Adm. Code 114 General Assistance (P-14996/88; A-89) (P-15924/88; A-89) (P-17621/88; A-1546) (P-1959; A-8580) (P-20697/88; A-3900) (P-5456) (P-14764)
 68 III. Adm. Code 148 Hospital Services (CC-9572) (A-12118) (P-13729)
 68 III. Adm. Code 149 III. Competitive Access & Reimbursement Equity (ICARE) Program (P-13917/88; A-554) (P-3553; A-15070)
 68 III. Adm. Code 120 Medical Assistance Programs (P-15938/88; A-116) (P-17633/88; A-2081) (P-3281) (P-20705/88; A-3908) (P-9250) (P-9996) (P-10753) (E-11929) (E-12137) (P-14778)
 68 III. Adm. Code 140 Medical Payment (P-11995/88; A-125; CC-2543) (P-16421/88; O-1259; M-3195; A-3069) (P-17172/88; O-1263; R-2538; A-2475) (P-1420; A-11516) (P-2937) (P-3295; A-14391) (P-5958/88; A-3351) (P-12976/88; A-3917) (P-17643/88; A-5115) (P-5465; O-14134; W-14476) (P-11701/88; A-5718) (P-17172/88; A-5718) (P-19868/88; A-7025) (P-7546; A-14391) (P-20714/88; A-7786) (E-10977) (P-11157) (P-11701/88; A-12119; O-13295; R-13688) (P-22329/88; A-12562) (P-13178) (P-14263)
 68 III. Adm. Code 146 Point Count Guidelines for ICF/MR & SNF/PED Facilities (A-7040)
 68 III. Adm. Code 115 Refugee/Entrant/Repatriate Program (P-2702; A-13631) (P-20735/88; A-3932) (P-14790)
 68 III. Adm. Code 147 Reimbursement for Nursing Costs for Geriatric Facilities (P-10627/88; O-20231/88; R-677; A-559) (P-3562) (P-17201/88; O-5800; R-7148; A-7043) (P-10763) (E-10999)
 68 III. Adm. Code 117 Related Program Provisions (P-20739/88; A-3936) (P-5487) (P-14008)
 68 III. Adm. Code 102 Rights & Responsibilities (P-20743/88; A-3940)
 68 III. Adm. Code 104 Rules of Practice in Administrative Hearings (P-2958) (P-20747/88; A-3944)
 68 III. Adm. Code 118 Special Eligibility Groups (P-20753/88; A-3950)
 68 III. Adm. Code 103 Support Responsibility of Relatives (P-17667/88; A-2496) (P-20757/88; A-3954)

PUBLIC HEALTH, DEPARTMENT OF

- 77 III. Adm. Code 697 Aids Confidentiality & Testing Code (P-21043/88; A-11544)
 77 III. Adm. Code 200 Alcoholism & Intoxication Treatment Programs (PR-17673/88; AR-4681)

CI - 10

ILLINOIS REGISTER

1989 CUMULATIVE INDEX

SEPTEMBER 22, 1989

VOL. 13, ISSUE #38

PUBLIC HEALTH, DEPARTMENT OF (CONT'D)

- 77 Ill. Adm. Code 855 Asbestos Abatement for Public & Private Schools in Ill. (P-6564/88; A-2768) (P-8824)
- 77 Ill. Adm. Code 665 Child Health Examination (P-8840) (P-19984/88; A-11565)
- 77 Ill. Adm. Code 450 Clinical Laboratories & Blood Banks (P-2249) (P-19327/88; A-4285)
- 77 Ill. Adm. Code 694 College Immunization Code (P-5491)
- 77 Ill. Adm. Code 900 Drinking Water Systems Code (P-17206/88; A-12578)
- 77 Ill. Adm. Code 535 Emergency Medical Services (P-4126) (P-4500)
- 77 Ill. Adm. Code 910 Field Sanitation Rules (P-8282)
- 77 Ill. Adm. Code 750 Food Service Sanitation Code (P-14113/88; A-1819) (P-6888)
- 77 Ill. Adm. Code 250 Hospital Licensing Requirements (P-7875) (P-19892/88; A-13232)
- 77 Ill. Adm. Code 710 Alzheimer's Disease & Related Disorders Assistance Code (P-6913)
- 77 Ill. Adm. Code 490 Blood Bank Code (P-2974; A-14409)
- 77 Ill. Adm. Code 450 Clinical Laboratories Code (P-2249; A-11573) (E-13678) (P-14280)
- 77 Ill. Adm. Code 790 Formulary for the Drug Product Selection Program, The (P-12991/88; A-856) (P-16425/88; A-856) (P-3015; A-11717; C-12909) (E-3108) (P-20411/88; A-8890; C-10717) (P-12942) (E-12990) (CC-14477)
- III. Plumbing Code (P-4543)
- III. Trauma Center Code (P-4616)
- III. Water Well Construction Code (P-17233/88; A-11796)
- III. Water Well Pump Installation Code (P-17252/88; A-11816)
- Intermediate Care for the Developmentally Disabled Facilities Code (P-21621/88; A-6040) (P-8293)
- Joint Rules of the Environmental Protection Agency and the Department of Public Health: Certification & Operation of Environmental Laboratories (P-7561)
- Licensure of Home Health Agencies, The (P-10007)
- Long Term Care for Under Age 22 Facilities Code (P-21064/88; A-6301) (P-8315)
- Minimum Health Care Standards for Health Maintenance Organizations (P-10028)
- Minimum Qualifications for Public Health Personnel Employed by Full-Time Local Health Departments (P-10035)
- Minimum Sanitary Requirements for the Design & Operation of Swimming Pools & Bathing Beaches (P-12395)
- Newborn Metabolic Screening & Treatment Code (P-3599; A-15079)
- Plumbers (PR-6934)
- Plumbers Licensing Code (P-6949)
- Private Sewage Mound Code (P-19332/88; A-12608)
- Program Content & Guidelines for Maternal & Child Health Services (P-10060)
- Program Content & Guidelines for Title X Family Planning Services (P-5505)
- Program Standards for Local Health Departments (P-10137)
- Regionalized Prenatal Care (PR-12413)
- Regionalized Prenatal Health Care Code (P-12433)
- Renal Diseases Program for Care and Treatment Code (P-12777/88; A-10634)
- Residential Rehabilitation Facilities Code (P-987; W-8123)
- Retail Food Store Sanitation Code (P-14115/88; A-1830) (P-6964)
- Salvage Warehouses & Stores for Foods, Alcoholic Liquors, Drugs & Cosmetics (PR-7265/88; AR-2517)
- Salvage Warehouses & Stores for Foods, Alcoholic Liquors, Drugs, Medical Devices & Cosmetics (P-7272/88; A-2502) (P-14306)
- Sheltered Care Facilities Code (P-21893/88; A-6562) (P-8336)
- Skilled Nursing & Intermediate Care Facilities Code (P-21333/88; A-4684) (P-13581/88; A-5134) (P-8347)
- Structural Pest Control Code (P-3325/88; A-2090)
- Trauma Nurse Specialist Course Code (P-4544/88; A-3086)

PUBLIC HEALTH, DEPARTMENT OF/HEALTH FACILITIES PLANNING BOARD

- 77 Ill. Adm. Code 1150 Certificate of Need for Health Maintenance Organizations (PR-5580)
- 77 Ill. Adm. Code 1100 Narrative & Planning Policies (P-5596)

ILLINOIS REGISTER

1989 CUMULATIVE INDEX

SEPTEMBER 22, 1989

VOL. 13, ISSUE #38

PUBLIC HEALTH, DEPARTMENT OF/HEALTH FACILITIES PLANNING BOARD (CONT'D)

- 77 Ill. Adm. Code 1110 Processing, Classification Policies & Review Criteria (P-5619)

RACING BOARD, ILLINOIS

- 11 Ill. Adm. Code 422 Approval of Racing Officials (P-13922/88; A-1558)
- 11 Ill. Adm. Code 208 Charitable Funds (P-13926/88; O-20234/88; M-1250; A-1232)
- 11 Ill. Adm. Code 437 County Fair Regs. (P-1099; O-5802; R-7484; A-7435)
- 11 Ill. Adm. Code 439 Double Trifecta Wagering Pool (P-13519)
- 11 Ill. Adm. Code 502 Licensing (P-17755/88; A-1562) (P-18105/88; A-4931)
- 11 Ill. Adm. Code 509 Medication Rules (P-10171)
- 11 Ill. Adm. Code 1409 Ownership, Partnership & Stable Name (P-17761/88; O-1266; R-1906; A-1841)
- 11 Ill. Adm. Code 438 Pick N' Wagering Pool (P-13525)
- 11 Ill. Adm. Code 417 Pick Six Rules (E-1899; O-5811) (P-1979)
- 11 Ill. Adm. Code 404 Race Track Improvement Fund (P-13936/88; A-7440)
- 11 Ill. Adm. Code 1308 Racing, Farm, Corporate or Stable Name (P-17766/88; O-1268; R-2167; A-2156)
- 11 Ill. Adm. Code 1410 Trainers & Owners (P-4345; A-1846)

RECORDS COMMISSION, STATE

- 44 Ill. Adm. Code 4400 State Records Commission (P-44; A-7444)

REGENTS, BOARD OF

- 44 Ill. Adm. Code 525

Joint Rules of the Board of Regents, the Board of Governors of State Colleges & Universities, the Board of Trustees of the University of Ill., & the Board of Trustees of Southern Ill. University: Procurement & Bidding (P-2709)
Procurement from Minority & Female Owned Business Enterprises (P-2746; O-14117)

REHABILITATION SERVICES, DEPARTMENT OF

- 89 Ill. Adm. Code 510 Administrative Reviews & Hearings (PR-3020)
- 89 Ill. Adm. Code 870 Applicant Assistance Unit, The (P-8379)
- 89 Ill. Adm. Code 557 Application (P-5914)
- 89 Ill. Adm. Code 510 Appeals & Hearings (P-3036; O-13297; RC-13300)
- 89 Ill. Adm. Code 520 Authorization (P-6911/88; A-5149)
- 89 Ill. Adm. Code 562 Client Financial Participation (P-4685/88; A-2866) (P-14313)
- 89 Ill. Adm. Code 530 Criteria for the Evaluation of Programs of Services in Rehabilitation Facilities (P-3565/88; A-141)
- 89 Ill. Adm. Code 825 Definition of Terms (P-13941/88; A-7958)
- 89 Ill. Adm. Code 843 Disability Case Development Process (P-15015/88; A-4298)
- 89 Ill. Adm. Code 693 Disposition of Application (P-8384)
- 89 Ill. Adm. Code 552 Eligibility (P-52; W-4309) (P-277; A-9576) (P-11177)
- 89 Ill. Adm. Code 765 Establishment & Administration of Special Education, The (P-13948/88; A-5154)
- 89 Ill. Adm. Code 525 Grants & Contracts (P-14117/88; A-9580)
- 89 Ill. Adm. Code 712 Homemaker Contracts (P-10377/88; A-10643) (P-10377/88; A-10643)
- 89 Ill. Adm. Code 602 Maintenance (P-14797)
- 89 Ill. Adm. Code 850 Medical Improvement Review Standard for Continuing Disability (P-8910/88; A-22454/88; CC-3196)
- 89 Ill. Adm. Code 587 Medical, Psychological & Related Services (P-2192/88; A-1850) (P-10765; W-13276)
- 89 Ill. Adm. Code 685 Non-Financial Eligibility Criteria (P-15022/88; A-5158) (P-12538)
- 89 Ill. Adm. Code 714 Non-Homemaker Service Provider Requirements (P-4152; A-15091) (P-13952/88; A-8911) (P-12947)
- 89 Ill. Adm. Code 607 Other Services (P-56; A-9586) (E-225; O-3478)
- 89 Ill. Adm. Code 622 Post-Employment Services (P-8387)
- 89 Ill. Adm. Code 675 Program Description (P-13956/88; A-6768) (P-14319)
- 2 Ill. Adm. Code 1175 Public Information, Rulemaking, Department Organization (A-8604)
- 89 Ill. Adm. Code 760 Responsibility for Special Education (P-20431/88; A-9329)
- 89 Ill. Adm. Code 700 Service Plan Development (P-10409/88; A-3101) (E-13684) (P-14331)
- 89 Ill. Adm. Code 845 Sequential Evaluation Process for the Determination of Disability (P-4641)
- 89 Ill. Adm. Code 829 Sex Equity (P-5990/88; A-5755)

ILLINOIS REGISTER

1989 CUMULATIVE INDEX

VOL. 13, ISSUE #38

SEPTEMBER 22, 1989

REHABILITATION SERVICES, DEPARTMENT OF (CONT'D)

- 89 Ill. Adm. Code 567
Similar Benefits (P-281; A-9590) (P-10175)
- 89 Ill. Adm. Code 810
Special Education Personnel (P-13739)
- 89 Ill. Adm. Code 597
Tools, Equipment, Supplies & Initial Stock (P-2197/88; A-1568) (P-7212)
- 89 Ill. Adm. Code 895
Total Life Planning Program (P-3310; O-13302; R-15127)
- 89 Ill. Adm. Code 592
Training Services (P-2092/88; A-1573) (P-14338)
- 89 Ill. Adm. Code 650
Vending Stand Program for the Blind (P-15520/89; A-7465) (P-12758)
- 89 Ill. Adm. Code 645
Worker's Compensation (P-12763)

RETIREMENT SYSTEM OF ILLINOIS, STATE EMPLOYEES

- 80 Ill. Adm. Code 1570
Administration & Operation of the State Employees' Retirement System of Ill.-Social Security Unit, The (P-14122/88; O-22492/88; R-1626; A-1577)

RETIREMENT SYSTEM, STATE UNIVERSITIES

- 80 Ill. Adm. Code 1600
Universities Retirement (P-10769)

REVENUE, DEPARTMENT OF

- 86 Ill. Adm. Code 425
Alcoholic Liquor -- Hearings (PR-19976/88; AR-6780)
- 86 Ill. Adm. Code 180
Automobile Renting Occupation Tax (P-11056/88; A-9332)
- 86 Ill. Adm. Code 210
Board of Appeals (P-11060/88; A-6782)
- 86 Ill. Adm. Code 440
Cigarette Tax Act (P-11063/88; A-10678) (P-12954)
- 86 Ill. Adm. Code 445
Cigarette Tax Act -- Hearings (PR-19981/88; AR-6785)
- 86 Ill. Adm. Code 450
Cigarette Use Tax Act (P-11071/88; A-10687) (P-12964)
- 86 Ill. Adm. Code 455
Cigarette Use Tax Act -- Hearings (PR-19987/88; AR-6787)
- 86 Ill. Adm. Code 600
County Supplementary Retailers' Occupation Tax (P-1448; A-9336)
- 86 Ill. Adm. Code 600
County Supplementary Retailers' Occupation Tax Regs. (P-1448)
- 86 Ill. Adm. Code 610
County Supplementary Service Occupation Tax (P-1460; A-9348)
- 86 Ill. Adm. Code 610
County Supplementary Service Occupation Tax Regs. (P-1460)
- 86 Ill. Adm. Code 620
County Supplementary Use Tax (P-1468; A-9337)
- 86 Ill. Adm. Code 620
County Supplementary Use Tax Regs. (P-1468)
- 86 Ill. Adm. Code 630
County Water Commission Retailers' Occupation Tax (P-1473; A-9362)
- 86 Ill. Adm. Code 630
County Water Commission Retailers' Occupation Tax Regs. (P-1473)
- 86 Ill. Adm. Code 640
County Water Commission Service Occupation Tax (P-1485; A-9374)
- 86 Ill. Adm. Code 640
County Water Commission Service Occupation Tax Regs. (P-1485)
- 86 Ill. Adm. Code 650
County Water Commission Use Tax (P-1493; A-9383)
- 86 Ill. Adm. Code 650
County Water Commission Use Tax Regs. (P-1493)
- 86 Ill. Adm. Code 480
Hotel Operator's Occupation Tax Act (P-11077/88; A-10693)
- 86 Ill. Adm. Code 100
Income Tax (P-10772) (P-2383; A-10952)
- 86 Ill. Adm. Code 100
Income Tax Regs. (P-768; A-8917) (P-2383)
- 86 Ill. Adm. Code 500
Motor Fuel Tax (E-13271)
- 86 Ill. Adm. Code 500
Motor Fuel Tax Regs. (P-13201)
- 86 Ill. Adm. Code 200
Practice & Procedure for Hearings Before the Ill. Department of Revenue (P-19993/88; A-6789)

- 86 Ill. Adm. Code 110
Property Tax/Revenue Act of 1939 (P-20007/88; A-5803) (P-22373/88; A-7469)

- 86 Ill. Adm. Code 432
Pill Tabs & Jar Games Act (P-15027/88; A-191)
- 86 Ill. Adm. Code 200
Retailers' Occupation Tax Hearings (PR-20012/88; AR-6808)
- 86 Ill. Adm. Code 130
Retailers' Occupation Tax (P-11084/88; A-11824) (P-14800)
- 86 Ill. Adm. Code 130
Retailers' Occupation Tax Regs. (P-8391)
- 86 Ill. Adm. Code 530
Senior Citizens & Disabled Persons Property Tax Relief & Pharmaceutical Assistance Act (P-11104/88; A-1589)
- 86 Ill. Adm. Code 140
Service Occupation Tax (P-11108/88; A-9388) (P-10179)
- 86 Ill. Adm. Code 160
Service Use Tax (P-11119/88; A-9399)
- 86 Ill. Adm. Code 525
Tax Increment Allocation Financing (E-3788; O-9607) (P-11184)
- 86 Ill. Adm. Code 150
Use Tax Regs. (P-7215)
- 86 Ill. Adm. Code 151
Vehicle Use Tax (P-1498; A-14080)
- 86 Ill. Adm. Code 151
Vehicle Use Tax Regs. (P-1498)

CI - 13

ILLINOIS REGISTER

1989 CUMULATIVE INDEX

VOL. 13, ISSUE #38

SEPTEMBER 22, 1989

SAVINGS AND LOAN ASSOCIATIONS, COMMISSIONER OF

- 38 Ill. Adm. Code 400
Ill. Savings & Loan Act of 1985 (P-1985; A-8927)
- 38 Ill. Adm. Code 450
Residential Mortgage License Act of 1987 (P-12766)

SCHOLARSHIP COMMISSION, STATE

- 23 Ill. Adm. Code 1700
General Provisions (P-18110/88; A-8626)
- 23 Ill. Adm. Code 1720
Guaranteed Loan Programs (P-15047/88; A-2872) (P-18114/88; RC-5805; A-8630)
- 23 Ill. Adm. Code 1762
Paul Douglas Teacher Scholarship Program (P-18134/88; A-8650)
- 23 Ill. Adm. Code 1760
State Scholar Program (P-18138/88; A-8654)

SECRETARY OF STATE

- 92 Ill. Adm. Code 1040
Cancellation, Revocation or Suspension of Licenses or Permits (P-15947/88; A-1593) (P-17259/88; A-5162) (P-19636/88; A-7802) (P-20760/88; A-8659) (P-9490) (P-10216) (P-14014) (P-14810)
- 92 Ill. Adm. Code 1010
Certificates of Title, Registration of Vehicles (P-1103; A-7965) (P-16432/88; A-1598) (P-19642/88; A-5173) (P-5655; A-15102)
- 92 Ill. Adm. Code 1003
Collection of Fees (P-20019/88; O-3454; RC-3458; R-7150; A-7048)
- 14 Ill. Adm. Code 177
Credit Services Organizations (P-20434/88; A-4937)
- 92 Ill. Adm. Code 1020
Dealers, Wreckers, Transporters & Rebuilders (P-5665) (P-14818)
- 92 Ill. Adm. Code 1000
General Rules, Definitions (P-3316; A-11844) (P-17269/88; A-5185)
- 23 Ill. Adm. Code 3030
Ill. Library System Act, The (P-12180/88; A-1244)
- 92 Ill. Adm. Code 1030
Issuance of Licenses (P-2295; A-12978) (P-2753; A-12880) (P-3324; A-13893) (P-3611; A-15112) (P-17275/88; A-5192) (P-20768/88; A-7808) (P-7892) (P-14019) (P-14344)
- 50 Ill. Adm. Code 8010
Mandatory Vehicle Liability Insurance (P-14349)
- 14 Ill. Adm. Code 176
Notary Public Records (P-17770/89; A-5197)
- 92 Ill. Adm. Code 1001
Procedures & Standards (P-7229)
- 14 Ill. Adm. Code 130
Regs. Under Ill. Securities Law of 1953 (E-11017) (P-13742)
- 92 Ill. Adm. Code 1019
Remittance Agents (P-19652/88; A-4944)
- 14 Ill. Adm. Code 170
Revised Uniform Limited Partnership Act (P-14824)

SOUTHERN ILLINOIS UNIVERSITY, BOARD OF TRUSTEES OF

- 44 Ill. Adm. Code 540
Joint Rules of the Board of Regents, the Board of Governors of State Colleges & Universities, the Board of Trustees of the University of Ill., & the Board of Trustees of Southern Ill. University: Procurement & Bidding (P-2764)

STATE POLICE, DEPARTMENT OF

- 20 Ill. Adm. Code 1295
Certification & Training of Electronic Criminal Surveillance Officers (P-17064/88; RC-1270; A-1856)
- 20 Ill. Adm. Code 1240
Law Enforcement Agencies Data System (LEADS) (P-22127/88; A-8961)

STATE POLICE MERIT BOARD, DEPARTMENT OF

- 80 Ill. Adm. Code 150
Procedures of the Department of State Police Merit Board (P-16438/88; A-5201) (P-12542)

TRANSPORTATION, DEPARTMENT OF

- 92 Ill. Adm. Code 730
Allocation of Water From Lake Michigan (P-14357)
- 92 Ill. Adm. Code 177
Carriage by Public Highway (P-20027/88; A-3957)
- 92 Ill. Adm. Code 10
Disadvantaged, Minority & Woman-Owned Businesses (P-19365/88; A-3962)
- 92 Ill. Adm. Code 545
Financing the Installation & Maintenance of School Traffic Signals & Commercial-Industrial Traffic Signals on State Highways (P-11111; RC-8141)
- 92 Ill. Adm. Code 708
Floodway Construction in Northeastern Ill. (P-1503; A-8667)
- 92 Ill. Adm. Code 171
General Information, Regs., & Definitions (P-20032/88; A-3984)
- 92 Ill. Adm. Code 172
Hazardous Materials Table & Hazardous Materials Communications (P-20040/88; A-3993)
- 92 Ill. Adm. Code 448
Official Testing Stations (P-1127; A-7973)
- 92 Ill. Adm. Code 96
Pal-Waukee Municipal Airport Hazard-Zoning (P-15049/88; A-3384)
- 92 Ill. Adm. Code 518
Relocation Assistance & Payments Program (PP-7057; O-13337; R-13904)
- 92 Ill. Adm. Code 173
Shippers General Requirements for Shipments & Packagings (P-20055/88; A-3998)
- 92 Ill. Adm. Code 178
Shipping Container Specifications (P-20045/88; A-4004)

CI - 14

TRANSPORTATION, DEPARTMENT OF (CONT'D)

92 Ill. Adm. Code 452 Vehicle Inspection Stations Governing School Buses (PR-16447/88; W-2881) (PR-10222)
 92 Ill. Adm. Code 451 Vehicle Inspections (P-16356/88; W-2882) (P-10311)
 92 Ill. Adm. Code 534 Vending Machines in Rest Areas (P-15952/88; A-1866) (P-2760; A-10963) (P-13822)

JOINT COMMITTEE ON ADMINISTRATIVE RULES

Agenda

January 9, 1989 239
 March 1, 1989 2548
 April 5, 1989 4310
 May 9, 1989 7155
 June 6, 1989 8709
 July 28, 1989 12150
 August 24, 1989 13340
 September 21, 1989 14478

Second Notices Received

242, 668, 969, 1275, 1628, 1907, 2208, 2565, 2884, 3203, 3501, 4056, 4321, 4958, 5211, 5820, 6820, 7165,
 7504, 7819, 8172, 8717, 9037, 9411, 9620, 10719, 11106, 11962, 12161, 12656, 12910, 13116, 13349,
 13689, 13982, 14140, 14485, 15131

PUBLIC HEARINGS ON PROPOSED RULES

CARNIVAL-AMUSEMENT SAFETY BOARD

56 Ill. Adm. Code 6000 Carnival & Amusement Ride Inspection Law
 56 Ill. Adm. Code 6000 Carnival & Amusement Ride Inspection Law

ELECTIONS, STATE BOARD OF

26 Ill. Adm. Code 208 Constitutional Amendments & Statewide Questions of Public Policy
 26 Ill. Adm. Code 201 Established Political Party & Independent Candidate Nominating Petitions
 26 Ill. Adm. Code 207 Miscellaneous
 26 Ill. Adm. Code 202 New Political Party Nominating Petitions

FIRE MARSHAL, OFFICE OF THE STATE

41 Ill. Adm. Code 100 Fire Prevention & Safety

POLLUTION CONTROL BOARD

35 Ill. Adm. Code 615 Standards for Existing Activities Located Within a Setback Zone or Regulated
 Recharge Area
 35 Ill. Adm. Code 616 Standards for New Activities Located Within a Setback Zone or Regulated
 Recharge Area

PROFESSIONAL REGULATION, DEPARTMENT OF

68 Ill. Adm. Code 1400 Psychologist Registration Act

PUBLIC HEALTH, DEPARTMENT OF

77 Ill. Adm. Code 450 Clinical Laboratories & Blood Banks
 77 Ill. Adm. Code 694 College Immunization Code
 77 Ill. Adm. Code 694 College Immunization Code
 77 Ill. Adm. Code 750 Food Service Sanitation Code
 77 Ill. Adm. Code 490 Ill. Blood Bank Code
 77 Ill. Adm. Code 840 Ill. Health & Hazardous Substances Registry
 77 Ill. Adm. Code 698 Pertussis Vaccine Pamphlet Code
 68 Ill. Adm. Code 750 Plumbers Licensing Code

PUBLIC HEARINGS ON PROPOSED RULES (CONT'D)

PUBLIC HEALTH, DEPARTMENT OF (CONT'D)

77 Ill. Adm. Code 630 Program Content & Guidelines for Maternal & Child Health Services 12652
 77 Ill. Adm. Code 635 Program Content & Guidelines for Title X Family Planning Services 7493
 77 Ill. Adm. Code 640 Regionalized Perinatal Health Care Code 12654
 77 Ill. Adm. Code 760 Retail Food Service Sanitation Code 7495

PUBLIC INFORMATION

BANKS AND TRUST COMPANIES, COMMISSIONER OF

Notice of Acceptance of an Application by Commerce Bancshares, Inc., Kansas City, Missouri, to Acquire
 First Bankers Trustshares, Inc., Quincy, Illinois 4055
 Notice of Acceptance of an Application by First Bank, Inc., St. Louis, Missouri, to Acquire the Salem
 National Bank, Salem, Illinois 2169
 Notice of Acceptance of an Application by First of America Bank Corporation to Acquire Midwest
 Financial Group, Inc. 10718
 Notice of Acceptance of an Application by First of America Bank Corporation to Acquire Whiteside
 County Bank 1627
 Notice of Acceptance of an Application by Old National Bancorp to Acquire the First National Bank of
 Harrisburg 968

EDUCATION LOAN AUTHORITY, ILLINOIS INDEPENDENT HIGHER

23 Ill. Adm. Code 1960 Bond Issue Fees 7816
 2 Ill. Adm. Code 5250 Public Information, Rulemaking & Organization 7817

LABOR, DEPARTMENT OF

List of Contractors Prohibited from an Award of a Contract or a Subcontract for Public Works Project 3201
 List of Contractors Prohibited from an Award of a Contract or a Subcontract for Public Works Project 3202

POLLUTION CONTROL BOARD

Environmental Protection Act 11096

RACING BOARD, ILLINOIS

11 Ill. Adm. Code Race Track Improvement Fund 7818

REVENUE, DEPARTMENT OF

Index of Letter Rulings (Fourth Quarter of 1988) (ROT) 2170
 Index of Letter Rulings (Fourth Quarter of 1988) (Income Tax) 3481
 Index of Letter Rulings (First Quarter of 1989) (Income Tax) 8146
 Index of Letter Rulings (First Quarter of 1989) (ROT) 8674
 Index of Letter Rulings (Second Quarter of 1989) (Income Tax) 13090
 Index of Letter Rulings (Second Quarter of 1989) (ROT) 13908

REGULATORY AGENCY

AGING, DEPARTMENT ON

89 Ill. Adm. Code 230 Older Americans Act Programs 3197

PUBLIC HEALTH, DEPARTMENT OF

77 Ill. Adm. Code 697 AIDS Confidentiality & Testing Code 13929
 77 Ill. Adm. Code 205 Ambulatory Surgical Treatment Center Licensing Requirements 13931
 77 Ill. Adm. Code 855 Asbestos Abatement for Public & Private Schools in Ill. 13932
 77 Ill. Adm. Code 535 Emergency Medical Services 13934
 77 Ill. Adm. Code 1230 Financial & Economic Feasibility Review & Evaluation Plan 13936

REGULATORY AGENDA (CONT'D)

PUBLIC HEALTH, DEPARTMENT OF (CONT'D)
Financial & Economic Feasibility Review & Evaluation Plan (For All Long-Term Care & Chronic Disease Facilities)

77 Ill. Adm. Code 1240	Financial & Economic Feasibility Review Criteria	13937
77 Ill. Adm. Code 1120	Freedom of Information	13939
2 Ill. Adm. Code 1126	Hearing Aid Consumer Protection Code	13941
77 Ill. Adm. Code 682	Hospital Licensing Requirements	13942
77 Ill. Adm. Code 250	Ill. Health & Hazardous Substances Registry	13944
77 Ill. Adm. Code 840	Ill. Mobile Home Tiedown Act	13946
77 Ill. Adm. Code 870	Ill. Plumbing Code	13948
77 Ill. Adm. Code 890	Ill. Water Well Construction Code	13950
77 Ill. Adm. Code 920	Life Care Facilities Contract Code	13951
77 Ill. Adm. Code 396	Manufactured Housing & Mobile Structures	13953
77 Ill. Adm. Code 880	Mobile Home & Mobile Home Parks	13955
77 Ill. Adm. Code 860	Narrative & Planning Policies	13957
77 Ill. Adm. Code 1100	Newborn Metabolic Screening & Treatment Code	13959
77 Ill. Adm. Code 661	Permit Application Fees	13960
77 Ill. Adm. Code 1190	Practice & Procedure in Administrative Hearings	13962
77 Ill. Adm. Code 1180	Practice & Procedures in Reconsideration Hearings	13963
77 Ill. Adm. Code 1220	Private Sewage Disposal Code	13965
77 Ill. Adm. Code 905	Procedural Rules	13966
77 Ill. Adm. Code 1130	Processing an Application for Permit & Validity of Permits	13968
77 Ill. Adm. Code 1160	Processing, Classification Policies & Review Criteria	13970
77 Ill. Adm. Code 1110	Public Information, Rulemaking & Organization	13971
2 Ill. Adm. Code 1125	Public Notice of Opportunity for Public Hearing & Public Hearing Procedures	13972
77 Ill. Adm. Code 1200	Recreational Area Code	13973
77 Ill. Adm. Code 800	Salvage Warehouses & Stores for Foods, Alcoholic Liquors, Drugs & Cosmetics	13974
77 Ill. Adm. Code 725	Testing of Breath, Blood & Urine for Alcohol &/or Other Drugs	13976
77 Ill. Adm. Code 510	Toxic Art Supplies Code	13977
77 Ill. Adm. Code 848	Vital Records Act, The	13979
77 Ill. Adm. Code 500		13981

REHABILITATION SERVICES, DEPARTMENT OF

89 Ill. Adm. Code 515	Advisory Councils	7497
89 Ill. Adm. Code 540	Auxiliary Aids	7498
89 Ill. Adm. Code 885	Centers for Independent Living	7499
89 Ill. Adm. Code 730	Ill. Visually Handicapped Institute	7500
89 Ill. Adm. Code 685	Non-Financial Eligibility Criteria	7501
89 Ill. Adm. Code 700	Service Plan Development	7502
89 Ill. Adm. Code 650	Vending Facility Program for the Blind	7503

EXECUTIVE ORDERS AND PROCLAMATIONS

EXECUTIVE ORDERS

89-1	Rescinding Executive Order 85-2 & Establishing the Ill. Planning Council on Developmental Disabilities	2212
89-2	Executive Order Creating A Science & Technology Advisor to the Governor	4960
89-3	An Executive Order Amending Executive Order 87-4	12912
89-4	An Executive Order Establishing Within the Ill. Emergency & Disaster Agency the Division of Training & Education Administration & Management	12913

PROCLAMATIONS

89-001	James R. Wolfe's Memorial Award Day	669
89-002	Chicago Opera Theater Week	670

PROCLAMATIONS (CONT'D)

89-003	American History Month	671
89-004	Congratulates Frank R. Adams	672
89-005	Vocational Education Week	673
89-006	Volunteer Connection Day	674
89-007	Cerebral Palsy Month	675
89-008	Four Chaplains Sunday	676
89-009	Homemakers Extension Association Week	677
89-010	Ill. Trail Appreciation Month	678
89-011	Ill. Trail Appreciation Month (Revised)	1277
89-012	School Social Work Week	679
89-013	American Savings & Loan/100th Anniversary	680
89-014	Center For Children's Services Day	681
89-015	Child Find Month	682
89-016	Jaycee Week	683
89-017	Commissioned Corps of the United States Public Health Service Day	684
89-018	Ill. Salutes India Month	971
89-019	Junior Achievement Week	972
89-020	Kiwans Week	973
89-021	Land Surveyors' Month	974
89-022	Smiles for Little City Days	975
89-023	Chicago Advertising Woman of the Year Week	976
89-024	Dr. Martin Luther King Day	977
89-025	Declares the Counties of Edwards, Wabash, Wayne & White to be Disaster Areas	978
89-026	ROTC Week	1278
89-027	Seed Month	1279
89-028	Amateur Athletic Union Physique Day	1280
89-029	Nutrition Month	1281
89-030	American Homeless Awareness Day	1629
89-031	Community Action Day	1630
89-032	Orchid Week	1631
89-033	Sales & Marketing Month	1632
89-034	Poison Prevention Week	1633
89-035	Ukrainian Independence Day	1634
89-036	Free Enterprise Week	1635
89-037	Snowmobile Safety Week	1636
89-038	Women in Sports Day	1637
89-039	Burn Awareness Week	1909
89-040	Earth Day	1910
89-041	Ill. Jaycee Week	1911
89-042	Ill. Lumber & Material Dealers Days	1912
89-043	Consumers Week	1913
89-044	African-American History Month	1914
89-045	Lions of Ill. Eye Bank Day	1915
89-046	Black History Month	2219
89-047	Employ the Older Worker Week	2220
89-048	Future Business Leaders of America-Phi Beta Lambda Month	2221
89-049	Lithuanian Independence Day	2222
89-050	United States Power Squadrons Day	2223
89-051	Cardiac Rehabilitation Week	2224
89-052	Future Farmers of America Week	2225
89-053	Labor-Management Cooperation Week	2226
89-054	STC's International Technical Communication Week	2227
89-055	Engineers Week	2228
89-056	DuPage County Sesquicentennial	2568
89-057	Tornado Preparedness Week	2569
	Legislators' Fitness Day	2570

ILLINOIS REGISTER

1989 CUMULATIVE INDEX

VOL. 13, ISSUE #38

SEPTEMBER 22, 1989

PROCLAMATIONS (CONT'D)

89-058	Rehabilitation Facilities Week	2887
89-059	Recognizes John G. Gilbert	2888
89-060	Grammy Awards Celebration Day	3205
89-061	Listening Awareness Day	3206
89-062	RP Awareness Day	3207
89-063	St. David's Day	3208
89-064	Women's History Month	3209
89-065	Casimir Pulaski Day	3210
89-066	Ill. State Quartet Convention Week	3211
89-067	Youth Art Month	3212
89-068	Viet Nam Veterans Day	3503
89-069	International Demolay Week	3504
89-070	Agriculture Week	3505
89-071	Herman Bryant Day	3506
89-072	Four Seasons Hotel Chicago Opening Day	3507
89-073	City of Belleville Year	3508
89-074	Shamrocks Against Dystrophy Days in Ill.	3509
89-075	Technical Education Week	3510
89-076	Pharmacy Day	4057
89-077	Arts Education Week	4058
89-078	Biomedical Equipment Technology Week	4059
89-079	U. S. Savings Bond Month	4060
89-080	Congratulates Top Ladies of Distinction	4061
89-081	Earthquake Awareness Week	4062
89-082	Home Center Week	4063
89-083	Junior League of Springfield Appreciation Week	4064
89-084	Licensed Practical Nurse Week	4065
89-085	Licensed Practical Nurse Week (Revised)	7821
89-086	POW-MIA Day	4066
89-087	Professional Social Work Month	4067
89-088	Rochelle Lee Fund Day	4068
89-089	School Psychology Week	4069
89-090	Call Before You Dig Month	4070
89-091	Ill. Veterans Affairs Day	4323
89-092	Marine Night Fighter Association Days	4324
89-093	Recognizes Clarence Darrow Community Center/Honors George Kalindonis	4325
89-094	Surgical Technologist Week	4326
89-095	Auctioneer's Week	4327
89-096	Ill. Clean & Beautiful & Tree City USA Appreciation Month	4328
89-097	Volunteer Week	4329
89-098	Belarusian/Byelorussian Day	4962
89-099	Breastfeeding Promotion Month	4963
89-100	High Blood Pressure Month	4964
89-101	Jesse White Day	4965
89-102	Jesse White Day (Revised)	8719
89-103	Library Week	4966
89-104	Library Week (Revised)	6823
89-105	Professional Secretaries Week/Professional Secretaries Day	4967
89-106	School Library Day	4968
89-107	Veterinary Medical Education Week	4969
89-108	American Vintage Wristwatch Day	4970
89-109	Gamma Phi Circus Week	4971
89-110	Ill. Employee Fitness Day	4972
89-111	Parks & Recreation Month	4973
89-112	Building Safety Week	4974
89-113	Groundwater Protection Month	4975

ILLINOIS REGISTER

1989 CUMULATIVE INDEX

VOL. 13, ISSUE #38

SEPTEMBER 22, 1989

PROCLAMATIONS (CONT'D)

89-111	Ill. Cooperative Extension Day	4976
89-112	Ill. Industry Appreciation Day	4977
89-113	Post Anesthesia Nurse Awareness Week	4978
89-114	Recycling Week	4979
89-115	Public Health Professionals: Peers & Partners Week	4980
89-116	Business Opportunity Days	4981
89-117	Drinking Water Week	4982
89-118	Ill. Science Day	4983
89-119	Ivy Kupaet Day	5212
89-120	Keep America Beautiful Month	5213
89-121	Lioness Caramel Corn Day	5214
89-122	Medical Laboratory Week	5215
89-123	State Horseshoe Festival Day	5216
89-124	State Horseshoe Festival Day (Revised)	7505
89-125	Stroke Club Day	5217
89-126	United Insurance Company of America Day	5218
89-127	Youth Temperance Education Week	5219
89-128	His Eminence Archbishop Iakovos/30th Anniversary	5220
89-129	Rainbow House/Arco Iris Day	5221
89-130	Days of Remembrance	5222
89-131	Deputy Chief Gerald B. Creed Day	5223
89-132	Lake & Watershed Management Month	5224
89-133	Student Athlete Day	5822
89-134	Corfu-Tasty Gyros, Inc. Day	5823
89-135	Recognizes the 35th Anniversary of the Nu Iota Chapter of Alpha Omicron Pi	5824
89-136	Ted Liss Day	5825
89-137	New Homes Month	5826
89-138	Queen Isabella Day	5827
89-139	Coin Week	5828
89-140	Hyde Park Art Center Day	5829
89-141	Job's Daughters Week	5830
89-142	Medical Assistants' Week	5831
89-143	Rural Electric Youth Day	5832
89-144	Special Olympics Week	5833
89-145	Ill. Historical Library Month	5834
89-146	Victim Rights Week	5835
89-147	Welcome Home Chuck Marshall Day	5836
89-148	James & Sybil Stockdale Day	5837
89-149	Design-Drafting Week	6824
89-150	Belarusian Independence Day	6835
89-151	Child Abuse Prevention Month	6836
89-152	Earth Week	6837
89-153	Grade Crossing Safety Week	6838
89-154	Music Week	6839
89-155	Small Business Week	6840
89-156	Adopt-A-Cat Month	6841
89-157	Child Support Awareness Day	6842
89-158	Croatian Independence Day	6843
89-159	Displaced Homemakers' Week	6844
89-160	Food & Beverage Packaging Week	6845
89-161	Food & Beverage Packaging Week (Revised)	7167
89-162	Motorcycle Awareness Month	6846
89-163	Older Americans Month	6847
89-164	Public Service Recognition Week	6848
89-165	Space Development Week	6849
89-166	CMM7 - Converting Machinery/Materials Day	6850

PROCLAMATIONS (CONT'D)

89-165	Community Mental Health Services Week	6851
89-166	Entrepreneur Achievement Week	6852
89-167	Goodwill Industries Week	6853
89-168	Nursing: The Heartbeat of Health Care Days In Chicago Day	6854
89-169	Pan American Week	6855
89-170	Credit Education Week	6856
89-171	Dr. Jack L. Greider Day	6857
89-172	Commemorates Warsaw Ghetto Uprising	6858
89-173	Day of Prayer	6859
89-174	Municipal Clerks Week	6860
89-175	Subcontractors Month	6861
89-176	Music in Our Schools Month	7168
89-177	Centenarians Day	7169
89-178	Student Council Leadership Week	7170
89-179	Teacher Appreciation Week	7171
89-180	The Year of Recognition for the Institute of Business Designers	7172
89-181	Just Say No Day	7173
89-182	Moscow-Chicago Theatre Exchange Week	7174
89-183	Nursing Home Week	7175
89-184	Enterostomal Therapy Nurses Day	7176
89-185	Nurses Week	7177
89-186	Bird Appreciation Week	7178
89-187	Stamp Collecting Week	7179
89-188	Stephen A. Forbes Biological Station Day	7180
89-189	Youth Workout Day	7506
89-190	Disabled American Veterans' Days	7507
89-191	Plant a Living Legacy, a Continuing Dedication	7508
89-192	All Presidents Day	7509
89-193	Better Hearing & Speech Month	7510
89-194	Manufactured Housing Week	7511
89-195	Asian American Heritage Month	7512
89-196	City of Hope Day	7513
89-197	Korean War Veteran Day	7822
89-198	Medical Research Days	7823
89-199	Police Memorial Day/National Police Week/National Police Memorial Day	7824
89-200	Exceptional Children's Week	7825
89-201	Foster Parent Month	7826
89-202	Maritime Day	7827
89-203	Mother's Day	7828
89-204	Senior Citizens' Center of Oak Park & River Forest Day	7829
89-205	Adopt-A-Cop Month	7830
89-206	Insurance Agents Week	7831
89-207	Nurses Week at Edward Hines, Jr. VA Hospital	7832
89-208	Take Your Haul Off to Transit Day	7833
89-209	Unclaimed Property Week	7834
89-210	Correctional Officer Week	7835
89-211	Productivity & Quality Improvement Month	7836
89-212	Week of the High Risk Child	7837
89-213	De La Salle Day	7838
89-214	Salvation Army Week	7839
89-215	American G.I. Forum Days	7840
89-216	Carol Fowler Day	7841
89-217	Estate Planning Day	7842
89-218	International Museum Day	7843
89-219	Organ & Tissue Donor Awareness Week	8174
89-220	Children's Memorial Institute of Education & Research Day	8175

PROCLAMATIONS (CONT'D)

89-221	James J. McCarthy Day	8176
89-222	Retired Teachers Week	8177
89-223	Student Service Corporation Vocational Education Day	8178
89-224	Buckle-Up America Week	8179
89-225	Hospital Day	8180
89-226	Ill. Bell Operator Day	8181
89-227	Ill. - USA Karate Federation Day	8182
89-228	Students Against Driving Drunk Month	8183
89-229	Ileitis & Colitis Awareness Week	8184
89-230	Mental Health Month	8185
89-231	Victor Vasarely Week	8186
89-232	National Association of Insurance Women's Week	8187
89-233	Neurofibromatosis Awareness Week	8188
89-234	Firefighter Memorial Day	8720
89-235	Hull House Week	8721
89-236	Barrier Awareness Week	8722
89-237	Catholic Heritage Week	8723
89-238	Fishing Week	8724
89-239	Ill. Rivers Appreciation Month	8725
89-240	Transportation Week	8726
89-241	Water Quality Week	8727
89-242	A.H. Entertainers, Inc./50th Anniversary	8728
89-243	Congratulates Dr. Morton Goldberg	8729
89-244	Cornelia de Lange Awareness Day	8730
89-245	Gateway Day	8731
89-246	Golden Trumpets Day	8732
89-247	John H. Johnson Day	8733
89-248	Pharmaceutical Manufacturers Day	8734
89-249	React Month	8735
89-250	Israel Independence Day	9039
89-251	Lions Of Ill. Hearing Screening Day	9040
89-252	Ortho-Olympics Day	9041
89-253	Railroad Women's Day	9042
89-254	Wild Horse & Burro Week	9043
89-255	Congratulates Dorothy McConner	9044
89-256	Customer Service Week	9045
89-257	Father's Day	9046
89-258	Ill. Business Week	9047
89-259	Ill. Business Week (Revised)	9048
89-260	Old Fellow-Rebekah Day	9049
89-261	Peer Pedersen Day	9050
89-262	Pest Control Month	9051
89-263	Safety Week	9052
89-264	U.S. Coast Guard Auxiliary Day	9053
89-265	Junior Olympics Days	9054
89-266	Criminal Justice Awareness Day	9055
89-267	Father Leo Enlow Day	9056
89-268	Ill. Marine Corps League Days	9057
89-269	Jeffrey Jackson Day	9058
89-270	U.S. Space Observance Days/Space Exploration Day	9059
89-271	Vocational Student Organization Week	9413
89-272	Sin Chimney Silver Jubilee Day	9414
89-273	St. Paul Federal Day	9415
89-274	Korea Unification Day	9416
89-275	Blood Donor Awareness Month	9417
89-276	Forgotten Eyes Day	

PROCLAMATIONS (CONT'D)

89-276 Talent-Linkage-Chicago Day
89-277 Child Care Association Day
89-278 Safe Boating Week
89-279 Athletic Trainer Week
89-280 Bulls On Independence Day
89-281 National Basketball Players Association/Little City Foundation Day
89-282 National Black MBA Association Week
89-283 National Black MBA Association Week (Revised)
89-284 Therapeutic Recreation Week
89-285 Captive Nations Week
89-286 Captive Nations Week (Revised)
89-287 Chicago Branch, Inc. Day
89-288 Endangered Species Week
89-289 Mid-America Regulatory Commissioners Days
89-290 Springfield Municipal Opera Day
89-291 Take Pride in America Month
89-292 United States Customs Day
89-293 Congratulates Grant Memorial A.M.E. Church
89-294 Greek Heritage Week
89-295 Handball Week
89-296 Metropolitan Water Reclamation District/100th Year Of Founding
89-297 Reverend Thomas E. Burr Appreciation Day
89-298 Delta Sigma Theta Day
89-299 Baltic Freedom Day
89-300 Lighthouse Day
89-301 Serbian-American Heritage Days
89-302 Southern View Day
89-303 Arlington International Racecourse Weekend
89-304 Conservation Tillage Week
89-305 Mid-American College Health Association Week
89-306 Non-Dependence Day
89-307 Food Science and Technology Week
89-308 Stars of the U.S.S.R. Day
89-309 City of Sparta Sesquicentennial Week
89-310 Dental Hygiene Week
89-311 Henry George Month
89-312 Pompon Appreciation Day
89-313 Lions Candy Day
89-314 CMM7-Convenience Machinery/Materials Week
89-315 Help Retarded Citizens Days
89-316 Kids for Conservation Day
89-317 Kids for Conservation Day (Revised)
89-318 Leukemia Awareness Week
89-319 Women In Careers Day
89-320 Hunting & Fishing Days
89-321 National Baton Twirling Week
89-322 Railway Mail Service Day
89-323 Great American People Day
89-324 Great American People Show Month (Revised)
89-325 Hosiery Week
89-326 Polled Hereford Week
89-327 Sexually Transmitted Disease Education Month
89-328 Spirit of Love Award Day
89-329 Wooten Choral Ensemble Day
89-330 French Bicentennial Week

PROCLAMATIONS (CONT'D)

89-328 Credit Agricole Week
89-329 Children's Day
89-330 Head Injury Awareness Month
89-331 Victory Week
89-332 Governors State University Day
89-333 Housekeepers' Week
89-334 Leif Ericson Day
89-335 NYMA Day
89-336 Adopt a Caseworker Day
89-337 Minority Women Caucus Days
89-338 Paralyzed Veterans Recognition Day
89-339 Peruvian Day In Illinois
89-340 Uruguay Day
89-341 Congratulates Dorothy Leavell
89-342 Congratulates the Anti-Cruelty Society
89-343 Red Schoendienst, Al Barlick & Harry Cury Day
89-344 Women With A Challenge Day
89-345 Gold Star Mother's Day
89-346 Radiologic Technology Week
89-347 Veterans Day at the Fair
89-348 Morgan Horse Week
89-349 POW/MIA Recognition Day
89-350 United States Marshals Bicentennial Day
89-351 Women Veterans Recognition Week
89-352 Gunby - Cash for Kids Week
89-353 Constitution Week
89-354 Establishes A Honey Bee Quarantine
89-355 American Energy Awareness Month
89-356 Letter Carrier Day
89-357 Kiwanis Week
89-358 Recognizes Joe Sterle/Outstanding Ill. Citizen
89-359 Chamber Of Commerce Week
89-360 National Communications Forum Week
89-361 U.S. Coast Guard's 200th Anniversary Year
89-362 Angelina Tufano Day
89-363 Bud Billiken Day
89-364 El Dia Del Festival Hispano De Waukegan
89-365 Automotive Parts & Accessories Association Week
89-366 Buffalo Grove High School Adult Fitness Center Grand Opening Day
89-367 Chemistry Week
89-368 Metropolitan Chicago Coalition On Aging Month/Metropolitan Chicago Coalition On Aging Day
89-369 School's Open Safety Week
89-370 Women's Equality Day
89-371 Oxfam Fact For A World Harvest Day
89-372 Palmer House Day
89-373 Car Care Month
89-374 Drive For Life Day
89-375 International Visitors Month
89-376 International Visitors Month (Revised)
89-377 Lupus Awareness Month
89-378 The Week Of The Day Care Home Provider
89-379 Alcohol & Drug Treatment Month
89-380 Columbus Day
89-381 Iron Overload Diseases Awareness Week
89-382 Labor Day

PROCLAMATIONS (CONT'D)

89-382	The Wright Connection & Message/Goodwill Ambassadors	14491
89-383	Union Label Week	14492
89-384	Village of Arenzville Sesquicentennial Days	14493
89-385	Down's Syndrome Awareness Month	14494
89-386	Richard M. Johnson Day	14495
89-387	Y-Indian Guide Programs Month	14496
89-388	Commends Bob Hardin/Fluorspar Museum	14497
89-389	Willie B. Elliot Day	14498
89-390	Food Service Employees Week	15132
89-391	Joseph Cardinal Glensp Day	15133
89-392	Lyrical Opera Month	15133
89-393	Osteopathic Medicine Week	15133
89-394	Vegetarian Day	15134
89-395	Emergency Medical Services Week	15134
89-396	Eunice W. Johnson Day	15135
89-397	George Mitchell Day	15135
89-398	Maynard I. Wishner Day	15136
89-399	Safety Town Week	15136
89-400	Talk About Prescriptions Month	15137
89-401	Certified Professional Secretaries Month	15137
89-402	Respect Life Week	15138
89-403	Women in Construction Week	15138

The Sections Affected Index lists, by Title, each Section of a codified Part on which rulemaking activity has occurred in this volume of the Register and is divided into two parts: the first lists the Sections on which rulemaking activity occurred in the previous issues of this volume year; the second lists the Sections on which rulemaking activity occurred in this issue of the Register. (The headings at the top of each page indicate the two parts: the first part shows the previous issue numbers inclusively and the date of the last published issue; the second lists the current issue number and date.) The columns in both parts indicate the type of rulemaking activity and the action taken along with the page number on which the first page of the notice of rulemaking activity appeared. If a Section on which action is being taken in the current volume (calendar year) of the Register was proposed in a previous volume, the last two digits of the previous volume's year appear immediately after the page number separated by a slash. (e.g. 1 Ill. Adm. Code 100.280 was proposed last year and adopted this year. The action entry reads: (P-8577/86; A-724)) The codes for both columns are listed below. For a complete listing of the Titles of the Illinois Administrative Code, please refer to 1 Ill. Adm. Code 100.140 or contact the Administrative Code Division.

TYPE OF RULEMAKING		ACTION CODES	
am	= amendment to existing Section	A	= Adopted rule
cc	= codification changes	C	= Correction
n	= new Section	CC	= Codification Changes
r	= repeal of existing Section	E	= Emergency rule
rc	= reclassified	F	= Failure to Remedy
#	= renumbered	M	= Modification
		O	= ICAR Objection
		P	= Proposed rule
		PF	= Prohibited Filing
		PP	= Peremptory rule
		R	= Refusal to Modify or Withdraw
		RC	= ICAR Recommendation
		S	= Suspended rule
		W	= Withdrawal of Proposed rule

TITLE 1

300.100	n	(P-8511/88; A-8407)
300.200	n	(P-8511/88; A-8407)
300.300	n	(P-8511/88; A-8407)
300.400	n	(P-8511/88; A-8407)
300.Ap. A	n	(P-8511/88; A-8407)

TITLE 2

160.101	re	(A-9497)
160.102	re	(A-9497)
160.201	re	(A-9497)
160.202	re	(A-9497)
160.203	re	(A-9497)
160.301	re	(A-9497)
160.302	re	(A-9497)
160.303	re	(A-9497)
160.304	re	(A-9497)
160.305	re	(A-9497)
160.401	re	(A-9497)
160.402	re	(A-9497)
160.403	re	(A-9497)
160.404	re	(A-9497)
160.405	re	(A-9497)
160.406	re	(A-9497)
160.407	re	(A-9497)
160.501	re	(A-9497)
160.502	re	(A-9497)
160.503	re	(A-9497)
160.Ap. A	re	(A-9497)
160.Ap. B	re	(A-9497)
161.101	re	(A-9509)
161.102	re	(A-9509)
161.201	re	(A-9509)
161.202	re	(A-9509)

TITLE 2 (CONT'D)

161.203	re	(A-9509)
161.204	re	(A-9509)
161.205	re	(A-9509)
161.301	re	(A-9509)
161.302	re	(A-9509)
161.303	re	(A-9509)
161.304	re	(A-9509)
161.401	re	(A-9509)
161.402	re	(A-9509)
161.403	re	(A-9509)
161.501	re	(A-9509)
161.502	re	(A-9509)
161.503	re	(A-9509)
161.504	re	(A-9509)
161.601	re	(A-9509)
161.602	re	(A-9509)
161.603	re	(A-9509)
161.604	re	(A-9509)
161.Ap. A	re	(A-9509)
700.Ap. D	am	(A-5066)
850.15	n	(A-1510)
850.20	am	(A-1510)
850.30	am	(A-1510)
850.110	am	(A-1510)
850.120	am	(A-1510)
850.130	am	(A-1510)
850.205	n	(A-1510)
850.210	am	(A-1510)
850.220	am	(A-1510)
850.230	am	(A-1510)
850.240	am	(A-1510)
850.Tb. A	am	(A-1510)

TITLE 2 (CONT'D)

850.Tb. B	am	(A-1510)	1827.304	re	(A-9509)
850.Tb. C	am	(A-1510)	1827.401	re	(A-9509)
850.Tb. D	am	(A-1510)	1827.401	am	(A-12048)
850.Tb. E	am	(A-1510)	1827.402	re	(A-9509)
850.Tb. G	am	(A-1510)	1827.403	re	(A-9509)
850.Tb. H	am	(A-1510)	1827.501	re	(A-9509)
1076.110	am	(A-7940)	1827.502	re	(A-9509)
1076.200	am	(A-7940)	1827.503	re	(A-9509)
1076.210	am	(A-7940)	1827.504	re	(A-9509)
1076.300	am	(A-7940)	1827.601	re	(A-9509)
1076.310	am	(A-7940)	1827.602	re	(A-9509)
1076.410	am	(A-7940)	1827.603	re	(A-9509)
1076.410	am	(A-7940)	1827.604	re	(A-9509)
1076.Ap. A	r	(A-7940)	1827.Ap. A	re	(A-9509)
1076.Ap. B	am	(A-7940)	5025.10	r	(A-3742)
1101.500	am	(A-8885)	5025.110	n	(A-3747)
1101.Tb. B	am	(A-8885)	5025.120	n	(A-3747)
1175.100	am	(A-8604)	5025.130	n	(A-3747)
1175.200	am	(A-8604)	5025.140	n	(A-3747)
1175.210	am	(A-8604)	5025.150	n	(A-3747)
1175.220	am	(A-8604)	5025.160	n	(A-3747)
1175.230	am	(A-8604)	5025.170	n	(A-3747)
1175.240	am	(A-8604)	5025.180	n	(A-3747)
1175.250	am	(A-8604)	5025.210	n	(A-3742)
1175.270	am	(A-8604)	5025.210	n	(A-3742)
1175.280	am	(A-8604)	5025.220	r	(A-3742)
1175.IL. B	am	(A-8604)	5025.230	r	(A-3747)
1175.IL. B	am	(A-8604)	5025.310	n	(A-3747)
.Tb. A	am	(A-8604)	5025.320	n	(A-3747)
.Tb. B	am	(A-8604)	5025.Ap. A	r	(A-3742)
.Tb. C	am	(A-8604)	5200.10	am	(A-7902)
.Tb. D	am	(A-8604)			
.Tb. E	am	(A-8604)			
1826.101	re	(A-9497)	20.1	am	(P-19178/88; W-2161)
1826.102	re	(A-9497)	25.20	am	(P-19164/88; A-3628)
1826.201	re	(A-9497)	25.30	am	(P-19164/88; A-3628)
1826.202	re	(A-9497)	25.50	am	(P-19164/88; A-3628)
1826.202	am	(A-12041)	25.130	am	(P-19164/88; A-3628)
1826.203	re	(A-9497)	75.5	am	(P-19172/88; A-3636)
1826.301	re	(A-9497)	75.190	am	(P-19172/88; A-3636)
1826.301	am	(A-12041)	80.10	am	(P-19196/88; A-3676)
1826.302	re	(A-9497)	80.20	am	(P-19196/88; A-3676)
1826.303	re	(A-9497)	80.110	am	(P-19196/88; A-3676)
1826.304	re	(A-9497)	85.5	am	(P-19185/88; A-3642)
1826.305	re	(A-9497)	85.10	am	(P-19185/88; A-3642)
1826.503	am	(A-12041)	85.15	am	(P-19185/88; A-3642)
1826.503	am	(A-12041)	85.50	am	(P-19185/88; A-3642)
1827.101	re	(A-9509)	90.10	am	(P-19185/88; A-3642)
1827.102	re	(A-9509)	90.110	am	(P-19201/88; A-3681)
1827.201	re	(A-9509)	105.5	am	(P-20309/88; A-3715)
1827.202	re	(A-9509)	105.10	am	(P-20309/88; A-3715)
1827.203	re	(A-9509)	105.30	am	(P-20309/88; A-3715)
1827.204	re	(A-9509)	110.50	am	(P-19153/88; A-3617)
1827.205	re	(A-9509)	110.80	am	(P-19153/88; A-3617)
1827.301	re	(A-9509)	110.90	am	(P-19153/88; A-3617)
1827.302	re	(A-9509)			
1827.303	re	(A-9509)			

TITLE 8 (CONT'D)

110.110	am	(P-19153/88; A-3617)	110.120	am	(P-19153/88; A-3617)
111.120	am	(P-19153/88; A-3617)	115.10	am	(P-19218/88; A-3685)
115.10	am	(P-19218/88; A-3685)	115.20	am	(PP-228)
125.10	am	(PP-228)	125.60	am	(P-19211/88; A-3696)
125.60	am	(P-19211/88; A-3696)	125.80	am	(PP-228)
125.80	am	(PP-228)	125.270	am	(PP-228)
125.270	am	(PP-228)	230.20	am	(P-3511; A-10499; E-4015)
230.20	am	(P-3511; A-10499; E-4015)	255.10	n	(P-2571; A-13532)
255.10	n	(P-2571; A-13532)	255.20	n	(P-2571; A-13532)
255.20	n	(P-2571; A-13532)	255.30	n	(P-2571; A-13532)
255.30	n	(P-2571; A-13532)	255.40	n	(P-2571; A-13532)
255.40	n	(P-2571; A-13532)	255.50	n	(P-2571; A-13532)
255.50	n	(P-2571; A-13532)	255.60	n	(P-2571; A-13532)
255.60	n	(P-2571; A-13532)	255.70	n	(P-2571; A-13532)
255.70	n	(P-2571; A-13532)	255.80	n	(P-2571; A-13532)
255.80	n	(P-2571; A-13532)	255.90	n	(P-2571; A-13532)
255.90	n	(P-2571; A-13532)	255.100	n	(P-2571; A-13532)
255.100	n	(P-2571; A-13532)	255.110	n	(P-2571; A-13532)
255.110	n	(P-2571; A-13532)	255.120	n	(P-2571; A-13532)
255.120	n	(P-2571; A-13532)	255.130	n	(P-2571; A-13532)
255.130	n	(P-2571; A-13532)	255.140	n	(P-2571; A-13532)
255.140	n	(P-2571; A-13532)	255.150	n	(P-2571; A-13532)
255.150	n	(P-2571; A-13532)	255.160	n	(P-2571; A-13532)
255.160	n	(P-2571; A-13532)	255.170	n	(P-2571; A-13532)
255.170	n	(P-2571; A-13532)	505.10	am	(P-19806/88; A-3703)
505.10	am	(P-19806/88; A-3703)	505.20	am	(P-19806/88; A-3703)
505.20	am	(P-19806/88; A-3703)	505.25	am	(P-19806/88; A-3703)
505.25	am	(P-19806/88; A-3703)	505.240	am	(P-19806/88; A-3703)
505.240	am	(P-19806/88; A-3703)	505.280	am	(P-19806/88; A-3703)
505.280	am	(P-19806/88; A-3703)	505.310	am	(P-19806/88; A-3703)
505.310	am	(P-19806/88; A-3703)	700.Ap. F	am	(P-2598; A-10489)
700.Ap. F	am	(P-2598; A-10489)	700.Ap. G	am	(P-17139/88; A-3653)
700.Ap. G	am	(P-17139/88; A-3653)	700.Ap. I	am	(P-14786/88; A-285)
700.Ap. I	am	(P-14786/88; A-285)	1400.10	am	(P-13832/88; A-14376)
1400.10	am	(P-13832/88; A-14376)	1400.140	am	(P-13832/88; A-14376)
1400.140	am	(P-13832/88; A-14376)	1400.147	am	(P-5545/88; A-2440)
1400.147	am	(P-5545/88; A-2440)	1400.149	am	(P-5545/88; A-2440)

TITLE 11

208.10	n	(P-13926/88; O-20234/88; R-1250; M-1250; A-1232)
208.20	n	(P-13926/88; O-20234/88; R-1250; A-1232)
208.30	n	(P-13926/88; O-20234/88; R-1250; A-1232)
208.40	n	(P-13926/88; O-20234/88; R-1250; A-1232)
208.100	n	(P-13926/88; O-20234/88; R-1250; A-1232)
208.110	n	(P-13926/88; O-20234/88; R-1250; A-1232)

TITLE 11 (CONT'D)

TITLE 11 (CONT'D)

1770.20	n	(P-10298/88; O-3419; R-8116; A-7908)	r	(P-10331/88; A-7906)
1770.20	r	(P-10331/88; A-7906)	r	(P-10331/88; A-7906)
1770.30	n	(P-10298/88; O-3419; R-8116; A-7908)	r	(P-10331/88; A-7906)
1770.30	r	(P-10331/88; A-7906)	am	(E-11017) (P-13742)
1770.40	n	(P-10298/88; O-3419; R-8116; A-7908)	am	(E-11017) (P-13742)
1770.40	r	(P-10331/88; A-7906)	am	(E-11017) (P-13742)
1770.50	n	(P-10298/88; O-3419; R-8116; A-7908)	am	(E-11017) (P-13742)
1770.50	r	(P-10331/88; A-7906)	am	(E-11017) (P-13742)
1770.60	n	(P-10298/88; O-3419; R-8116; A-7908)	am	(E-11017) (P-13742)
1770.60	r	(P-10331/88; A-7906)	am	(E-11017) (P-13742)
1770.70	n	(P-10298/88; O-3419; R-8116; A-7908)	n	(E-11017) (P-13742)
1770.70	r	(P-10331/88; A-7906)	n	(E-11017) (P-13742)
1770.80	n	(P-10298/88; O-3419; R-8116; A-7908)	n	(E-11017) (P-13742)
1770.80	r	(P-10331/88; A-7906)	n	(E-11017) (P-13742)
1770.90	n	(P-10298/88; O-3419; R-8116; A-7908)	n	(E-11017) (P-13742)
1770.90	r	(P-10331/88; A-7906)	n	(E-11017) (P-13742)
1770.100	n	(P-10298/88; O-3419; R-8116; A-7908)	n	(E-11017) (P-13742)
1770.100	r	(P-10331/88; A-7906)	n	(E-11017) (P-13742)
1770.110	n	(P-10298/88; O-3419; R-8116; A-7908)	n	(E-11017) (P-13742)
1770.110	r	(P-10331/88; A-7906)	n	(E-11017) (P-13742)
1770.120	n	(P-10298/88; O-3419; R-8116; A-7908)	n	(E-11017) (P-13742)
1770.120	r	(P-10331/88; A-7906)	n	(E-11017) (P-13742)
1770.130	n	(P-10298/88; O-3419; R-8116; A-7908)	n	(E-11017) (P-13742)
1770.130	r	(P-10331/88; A-7906)	n	(E-11017) (P-13742)
1770.140	n	(P-10298/88; O-3419; R-8116; A-7908)	n	(E-11017) (P-13742)
1770.140	r	(P-10331/88; A-7906)	n	(E-11017) (P-13742)
1770.150	n	(P-10298/88; O-3419; R-8116; A-7908)	n	(E-11017) (P-13742)
1770.150	r	(P-10331/88; A-7906)	n	(E-11017) (P-13742)
1770.160	n	(P-10298/88; O-3419; R-8116; A-7908)	n	(E-11017) (P-13742)
1770.160	r	(P-10331/88; A-7906)	n	(E-11017) (P-13742)
1770.170	n	(P-10298/88; O-3419; R-8116; A-7908)	n	(E-11017) (P-13742)
1770.170	r	(P-10331/88; A-7906)	n	(E-11017) (P-13742)
1770.180	n	(P-10298/88; O-3419; R-8116; A-7908)	n	(E-11017) (P-13742)
1770.180	r	(P-10331/88; A-7906)	n	(E-11017) (P-13742)
1770.190	n	(P-10298/88; O-3419; R-8116; A-7908)	n	(E-11017) (P-13742)
1770.190	r	(P-10331/88; A-7906)	n	(E-11017) (P-13742)
1770.200	n	(P-10298/88; O-3419; R-8116; A-7908)	n	(E-11017) (P-13742)
1770.200	r	(P-10331/88; A-7906)	n	(E-11017) (P-13742)

TITLE 14 (CONT'D)

TITLE 17 (CONT'D)

520.1000	am	(P-4985)	530.70	am	(P-4399; A-12796)
520.1010	am	(P-4985)	530.80	am	(P-4399; A-12796)
520.1020	am	(P-4985)	530.90	am	(P-4399; A-12796)
520.1030	am	(P-4985)	530.100	am	(P-4399; A-12796)
525.10	n	(P-13356) (E-13649)	530.105	am	(P-4399; A-12796) (E-12985)
525.20	n	(P-13356) (E-13649)	530.110	am	(P-4399; A-12796)
525.30	n	(P-13356) (E-13649)	530.30	am	(P-3273; A-10598)
525.40	n	(P-13356) (E-13649)	530.20	am	(P-2632; A-10589)
525.50	n	(P-13356) (E-13649)	530.30	am	(P-2632; A-10589)
525.60	n	(P-13356) (E-13649)	530.40	am	(P-5087/88; A-12034/88; O-3468)
525.70	n	(P-13356) (E-13649)	530.10	am	(P-3221; A-10525) (E-12985)
525.80	n	(P-13356) (E-13649)	530.20	am	(P-3221; A-10525) (E-12985)
570.30	am	(P-2071/487; A-38)	590.10	am	(P-3221; A-10525) (E-12985)
590.10	am	(P-15249/88; A-2028)	590.20	am	(P-3221; A-10525) (E-12985)
590.80	n	(P-15249/88; A-2028)	590.25	am	(P-3221; A-10525) (E-12985)
590.81	n	(P-15249/88; A-2028)	590.30	am	(P-3221; A-10525) (E-12985)
590.90	n	(P-15249/88; A-2028)	590.40	am	(P-3221; A-10525) (E-12985)
590.91	n	(P-15249/88; A-2028)	590.50	am	(P-3221; A-10525) (E-12985)
590.92	n	(P-15249/88; A-2028)	590.60	am	(P-3221; A-10525) (E-12985)
590.93	n	(P-15249/88; A-2028)	590.60	am	(P-3221; A-10525) (E-12985)
620.10	am	(P-14797/88; A-1758)	590.60	am	(P-3221; A-10525) (E-12985)
620.30	am	(P-14797/88; A-1758)	590.60	am	(P-3221; A-10525) (E-12985)
620.40	am	(P-14797/88; A-1758)	650.21	am	(P-4442; A-12853)
620.50	am	(P-14797/88; A-1758)	650.22	am	(P-4442; A-12853)
620.60	am	(P-14797/88; A-1758)	650.40	am	(P-4442; A-12853)
620.70	am	(P-14797/88; A-1758)	650.50	am	(P-4442; A-12853)
620.80	am	(P-14797/88; A-1758)	650.60	am	(P-4442; A-12853)
620.90	am	(P-14797/88; A-1758)	670.20	am	(P-5052; A-12839)
630.20	am	(P-4987/88; A-4164)	670.30	am	(P-5052; A-12839)
630.40	am	(P-4987/88; A-4164)	670.50	am	(P-5052; A-12839)
670.55	am	(P-5052; A-12839)	670.55	am	(P-5052; A-12839)
670.60	am	(P-5052; A-12839)	670.60	am	(P-5052; A-12839)
690.30	am	(P-2641; A-10606)	690.30	am	(P-2641; A-10606)
710.10	am	(P-20993/88; A-5091)	710.10	am	(P-20993/88; A-5091)
710.20	am	(P-20993/88; A-5091)	710.20	am	(P-20993/88; A-5091)
710.50	am	(P-20993/88; A-5091)	710.50	am	(P-20993/88; A-5091)
715.10	n	(P-7854)	715.10	n	(P-7854)
715.20	n	(P-7854)	715.20	n	(P-7854)
715.30	n	(P-7854)	715.30	n	(P-7854)
715.40	n	(P-7854)	715.40	n	(P-7854)
720.10	am	(P-4435; A-12831)	720.10	am	(P-4435; A-12831)
720.20	am	(P-4435; A-12831)	720.20	am	(P-4435; A-12831)
720.40	am	(P-4435; A-12831)	720.40	am	(P-4435; A-12831)
730.20	am	(P-2609; A-10513)	730.20	am	(P-2609; A-10513)
730.30	am	(P-2609; A-10513)	730.30	am	(P-2609; A-10513)
740.10	am	(P-4458; A-12869)	740.10	am	(P-4458; A-12869)
740.20	am	(P-4458; A-12869)	740.20	am	(P-4458; A-12869)
810.30	am	(P-1690; A-8419)	810.30	am	(P-1690; A-8419)
810.40	am	(P-1690; A-8419)	810.40	am	(P-1690; A-8419)
810.70	am	(P-1690; A-8419)	810.70	am	(P-1690; A-8419)
810.100	n	(E-12643)	810.100	n	(E-12643)
870.10	r	(P-3264; A-10575)	870.10	r	(P-3264; A-10575)
870.10	n	(P-3213; A-10503)	870.10	n	(P-3213; A-10503)
870.15	r	(P-3264; A-10575)	870.15	r	(P-3264; A-10575)
870.20	r	(P-3264; A-10575)	870.20	r	(P-3264; A-10575)

TITLE 17 (CONT'D)		TITLE 17 (CONT'D)		TITLE 23 (CONT'D)		TITLE 23 (CONT'D)	
870.20	n	(P-3213; A-10503)		120.200	am	(P-19266/88; A-7731)	275.90
870.30	r	(P-3264; A-10575)		120.210	am	(P-19266/88; A-7731)	451.10
870.40	r	(P-3264; A-10575)		120.235	n	(P-19266/88; A-7731)	451.10
870.50	n	(P-3213; A-10503)		200.10	am	(P-19279/88; A-11491)	451.20
870.60	n	(P-3213; A-10503)		200.30	am	(P-19279/88; A-11491)	451.20
870.70	n	(P-3213; A-10503)		200.40	am	(P-19279/88; A-11491)	451.30
870.80	n	(P-3213; A-10503)		200.80	am	(P-19279/88; A-11491)	451.30
930.45	am	(P-3262; A-10572)		200.100	am	(P-19279/88; A-11491)	451.40
960.10	n	(P-7515)		202.10	r	(P-13367; E-13657)	451.40
960.20	n	(P-7515)		202.10	n	(P-13369; E-13664)	451.50
960.30	n	(P-7515)		202.20	n	(P-13367; E-13657)	451.60
960.40	n	(P-7515)		202.20	n	(P-13369; E-13664)	451.70
960.50	n	(P-7515)		202.30	r	(P-13367; E-13657)	451.80
970.10	n	(P-7518)		202.30	n	(P-13369; E-13664)	451.90
970.20	n	(P-7518)		202.40	r	(P-13367; E-13657)	451.100
970.30	n	(P-7518)		202.40	n	(P-13369; E-13664)	451.110
970.40	n	(P-7518)		202.50	r	(P-13367; E-13657)	451.120
970.50	n	(P-7518)		202.50	n	(P-13369; E-13664)	451.120
970.60	n	(P-7518)		202.60	r	(P-13367; E-13657)	451.130
1010.25	am	(P-20325/88; A-4179)		202.60	n	(P-13369; E-13664)	451.140
1010.30	am	(P-20325/88; A-4179)		202.70	r	(P-13367; E-13657)	451.150
1050.20	am	(P-20335/88; A-3755)		202.70	n	(P-13369; E-13664)	451.155
1050.25	am	(P-20335/88; A-3755)		210.10	am	(P-8766)	451.160
1050.30	am	(P-20335/88; A-3755)		210.100	am	(P-8766)	451.165
1050.40	am	(P-20335/88; A-3755)		210.110	am	(P-8766)	451.165
1070.10	n	(P-8741)		210.120	am	(P-8766)	451.170
1070.20	n	(P-8741)		210.130	am	(P-8766)	451.175
1070.30	n	(P-8741)		210.140	am	(P-8766)	451.180
1070.40	n	(P-8741)		210.150	am	(P-8766)	451.185
1070.50	n	(P-8741)		210.210	am	(P-8766)	451.190
1070.60	n	(P-8741)		210.220	am	(P-8766)	451.195
1070.70	n	(P-8741)		227.10	am	(P-4097)	451.200
1070.80	n	(P-8741)		227.12	n	(P-4097)	451.210
1070.80	n	(P-8741)		227.14	n	(P-4097)	451.210
1350.60	am	(P-12193)		227.16	n	(P-4097)	451.220
1355.5	n	(P-120931)		227.18	n	(P-4097)	451.220
1355.20	am	(P-12931)		227.30	am	(P-4097)	451.230
1560.10	n	(P-2626; A-10577)		227.40	am	(P-4097)	451.230
1560.20	n	(P-2626; A-10577)		230.10	am	(P-12747/88; A-1535)	451.235
1560.20	am	(P-11991)		230.30	am	(P-12747/88; A-1535)	451.240
1560.30	n	(P-2626; A-10577)		230.60	am	(P-12747/88; A-1535)	451.240
1560.30	am	(P-11991)		254.310	am	(A-8459)	451.250
1560.40	n	(P-2626; A-10577)		254.340	am	(P-8777/88; A-8459)	451.250
1560.50	n	(P-2626; A-10577)		254.370	am	(P-8777/88; A-8459)	451.260
1560.60	n	(P-2626; A-10577)		254.390	am	(P-8777/88; A-8459)	451.260
1560.70	n	(P-2626; A-10577)		254.610	am	(P-8777/88; A-8459)	451.270
1560.80	n	(P-2626; A-10577)		254.620	am	(P-8777/88; A-8459)	451.270
1560.90	n	(P-2626; A-10577)		254.2130	am	(P-8777/88; A-8459)	451.280
1590.110	am	(P-2622; A-10567)		254.2230	am	(P-8777/88; A-8459)	451.290
1590.120	am	(P-2622; A-10567)		254.2235	n	(P-8777/88; A-8459)	451.300
2030.20	am	(P-4417; A-12814)		254.2245	n	(P-8777/88; A-8459)	451.310
2030.30	am	(P-4417; A-12814)		254.2255	n	(P-8777/88; A-8459)	451.320
2030.40	am	(P-4417; A-12814)		254.2310	am	(P-8777/88; A-8459)	451.330
2030.50	am	(P-4417; A-12814)		254.2320	am	(P-8777/88; A-8459)	451.340
2030.60	n	(E-2878) (P-4417; A-12814)		254.2330	am	(P-8777/88; A-8459)	451.350
2070.10	am	(P-12169)		254.2340	am	(P-8777/88; A-8459)	451.360
2070.20	am	(P-12169)		254.2350	am	(P-8777/88; A-8459)	451.370

[illegible]

TITLE 23 (CONT'D)		TITLE 23 (CONT'D)	
451.380	r (P-9082)	3300.10	n (P-14809/88; O-344C; R-4957; A-4672)
451.390	r (P-9082)	3300.20	n (P-14809/88; O-344C; R-4957; A-4672)
451.400	n (P-9133)	3300.30	n (P-14809/88; O-344C; R-4957; A-4672)
451.410	n (P-9133)	3300.40	n (P-14809/88; O-344C; R-4957; A-4672)
451.410	r (P-9082)	3300.50	n (P-14809/88; O-344C; R-4957; A-4672)
451.420	r (P-9082)	3300.60	n (P-14809/88; O-344C; R-4957; A-4672)
451.420	n (P-9133)	3300.70	n (P-14809/88; O-344C; R-4957; A-4672)
451.430	n (P-9082)	3300.80	n (P-14809/88; O-344C; R-4957; A-4672)
451.430	n (P-9133)		
451.440	n (P-9133)		
451.440	r (P-9082)		
451.450	r (P-9082)		
451.460	r (P-9082)		
451.470	r (P-9082)		
451.480	r (P-9082)		
451.490	r (P-9082)		
451.495	r (P-9082)		
451.500	n (P-9133)		
451.510	n (P-9133)		
451.520	n (P-9133)		
451.530	n (P-9133)		
451.540	n (P-9133)		
451.550	n (P-9133)		
451.555	n (P-9133)		
451.560	n (P-9133)		
451.570	n (P-9133)		
451.580	n (P-9133)		
451.590	n (P-9133)		
451.Ap. A	r (P-9082)		
500.20	am (P-1730; A-11481)		
500.50	am (P-1730; A-11481)		
500.120	am (P-1730; A-11481)		
500.130	am (P-4087)		
501.309	am (P-4087)		
501.501	am (P-3517)		
501.503	am (P-3517)		
501.508	am (P-3517)		
501.509	am (P-16313/88; A-1182)		
501.517	am (P-4394)		
1700.20	am (P-18110/88; A-8626)		
1720.6	am (P-18114/88; A-8630)		
1720.10	am (P-18114/88; A-8630)		
1720.20	am (P-18114/88; A-8630)		
1720.30	am (P-18114/88; A-8630)		
1720.40	am (P-18114/88; RC-5805; A-8630)		
1720.50	am (P-18114/88; A-8630)		
1720.60	am (P-18114/88; RC-5805; A-8630)		
1720.70	am (P-18114/88; A-8630)		
1720.75	am (P-18114/88; RC-5805; A-8630)		
1720.120	am (P-18114/88; A-8630)		
1720.140	r (P-15047/88; A-2872)		
1720.Ap. B	r (P-15047/88; A-2872)		
1760.30	am (P-18138/88; A-8654)		
1762.40	am (P-18134/88; A-8650)		
2310.80	am (P-1319; A-7898)		
3030.60	am (P-12180/88; A-1244)		
3030.105	am (P-12180/88; A-1244)		

TITLE 35 (CONT'D)

277.101	r	(P-16346/88; A-9513)	
277.102	r	(P-16346/88; A-9513)	
277.103	r	(P-16346/88; A-9513)	
277.104	r	(P-16346/88; A-9513)	
277.202	r	(P-16346/88; A-9513)	
277.301	r	(P-16346/88; A-9513)	
277.302	r	(P-16346/88; A-9513)	
277.401	r	(P-16346/88; A-9513)	
277.402	r	(P-16346/88; A-9513)	
283.101	r	(P-16365/88; A-9501)	
283.102	r	(P-16365/88; A-9501)	
283.103	r	(P-16365/88; A-9501)	
283.104	r	(P-16365/88; A-9501)	
283.201	r	(P-16365/88; A-9501)	
283.202	r	(P-16365/88; A-9501)	
283.203	r	(P-16365/88; A-9501)	
283.204	r	(P-16365/88; A-9501)	
283.301	r	(P-16365/88; A-9501)	
283.302	r	(P-16365/88; A-9501)	
283.303	r	(P-16365/88; A-9501)	
283.304	r	(P-16365/88; A-9501)	
283.401	r	(P-16365/88; A-9501)	
283.402	r	(P-16365/88; A-9501)	
283.403	r	(P-16365/88; A-9501)	
283.404	r	(P-16365/88; A-9501)	
283.405	r	(P-16365/88; A-9501)	
283.501	r	(P-16365/88; A-9501)	
283.502	r	(P-16365/88; A-9501)	
283.503	r	(P-16365/88; A-9501)	
283.504	r	(P-16365/88; A-9501)	
283.505	r	(P-16365/88; A-9501)	
283.506	r	(P-16365/88; A-9501)	
283.601	r	(P-16365/88; A-9501)	
283.602	r	(P-16365/88; A-9501)	
283.603	r	(P-16365/88; A-9501)	
283.604	r	(P-16365/88; A-9501)	
283.605	r	(P-16365/88; A-9501)	
283.606	r	(P-16365/88; A-9501)	
283.701	r	(P-16365/88; A-9501)	
283.702	r	(P-16365/88; A-9501)	
283.703	r	(P-16365/88; A-9501)	
283.704	r	(P-16365/88; A-9501)	
285.101	r	(P-16365/88; A-9517)	
285.102	r	(P-16365/88; A-9517)	
285.103	r	(P-16365/88; A-9517)	
285.104	r	(P-16365/88; A-9517)	
285.201	r	(P-16365/88; A-9517)	
285.202	r	(P-16365/88; A-9517)	
285.203	r	(P-16365/88; A-9517)	
285.204	r	(P-16365/88; A-9517)	
285.205	r	(P-16365/88; A-9517)	
285.206	r	(P-16365/88; A-9517)	
285.301	r	(P-16365/88; A-9517)	
285.302	r	(P-16365/88; A-9517)	
301.106	n	(P-14152)	
301.107	n	(P-14152)	
301.200	am	(P-15823/88; A-5984)	
301.260	am	(P-15823/88; A-5984)	

SAI - 12

TITLE 35 (CONT'D)

301.365	am	(P-15823/88; A-5984)	
301.430	am	(P-15823/88; A-5984)	
302.100	n	(P-14172)	
302.101	am	(P-14172)	
302.102	am	(P-14172)	
302.103	am	(P-14172)	
302.203	am	(P-14172)	
302.208	am	(P-14172)	
302.210	am	(P-14172)	
302.211	am	(P-15844/88; A-5998)	
302.304	am	(P-15844/88; A-5998)	
302.504	am	(P-15844/88; A-5998)	
302.507	am	(P-15844/88; A-5998)	
302.509	am	(P-15844/88; A-5998)	
302.601	n	(P-14172)	
302.603	n	(P-14172)	
302.604	n	(P-14172)	
302.606	n	(P-14172)	
302.612	n	(P-14172)	
302.615	n	(P-14172)	
302.618	n	(P-14172)	
302.621	n	(P-14172)	
302.627	n	(P-14172)	
302.630	n	(P-14172)	
302.633	n	(P-14172)	
302.642	n	(P-14172)	
302.645	n	(P-14172)	
302.648	n	(P-14172)	
302.651	n	(P-14172)	
302.654	n	(P-14172)	
302.657	n	(P-14172)	
302.658	n	(P-14172)	
302.660	n	(P-14172)	
302.663	n	(P-14172)	
302.666	n	(P-14172)	
302.669	n	(P-14172)	
302.362	n	(P-14211)	
303.323	n	(P-7863)	
304.104	am	(P-15815/88; A-5976)	
304.120	am	(P-18092/88; A-7754)	
304.123	am	(P-9204)	
304.124	am	(P-15815/88; A-5976)	
304.140	r	(P-15815/88; A-5976)	
304.217	n	(P-9421)	
304.218	n	(P-9656)	
304.220	n	(P-11397/88; A-2066)	
304.301	am	(P-14509/88; A-8888)	
304.302	n	(P-11669/88; A-851)	
305.102	am	(P-15839/88; A-5989)	
306.503	n	(P-13173)	
307.1102	am	(P-7530)	
307.1508	am	(P-16396/88; A-1794)	
307.1704	am	(P-16396/88; A-1794)	
307.2101	am	(P-16396/88; A-1794)	
307.2903	am	(P-16396/88; A-1794)	
307.3110	am	(P-16396/88; A-1794)	

SAI - 13

TITLE 35 (CONT'D)

307.3129	am	(P-16396/88; A-1794)	
307.3500	am	(P-16396/88; A-1794)	
307.3501	am	(P-16396/88; A-1794)	
307.3503	am	(P-16396/88; A-1794)	
307.3509	am	(P-16396/88; A-1794)	
307.3590	n	(P-16396/88; A-1794)	
307.4004	am	(P-16396/88; A-1794)	
307.7700	am	(P-9471)	
307.7701	am	(P-9471)	
307.7702	am	(P-9471)	
307.7703	am	(P-9471)	
307.7704	am	(P-9471)	
307.7705	am	(P-9471)	
307.7706	am	(P-9471)	
307.8100	am	(P-16396/88; A-1794)	
309.103	am	(P-14164)	
309.152	am	(P-14164)	
309.281	am	(P-15893/88; A-5993)	
310.107	am	(P-16384/88; A-2463)	
310.110	am	(P-16384/88; A-2463)	
310.111	n	(P-9426)	
310.221	am	(P-9426)	
310.222	am	(P-9426)	
310.230	am	(P-9426)	
310.232	am	(P-9426)	
310.233	am	(P-9426)	
310.502	am	(P-9426)	
310.510	am	(P-9426)	
310.522	am	(P-9426)	
310.531	am	(P-9426)	
310.542	am	(P-9426)	
310.602	am	(P-9426)	
310.604	am	(P-9426)	
310.605	am	(P-9426)	
310.606	am	(P-9426)	
310.610	am	(P-9426)	
310.611	am	(P-9426)	
310.612	n	(P-9426)	
310.613	n	(P-9426)	
310.621	am	(P-9426)	
310.631	am	(P-9426)	
310.632	am	(P-9426)	
310.633	am	(P-9426)	
310.634	am	(P-9426)	
310.801	am	(P-9426)	
310.903	am	(P-9426)	
310.910	am	(P-9426)	
310.912	am	(P-9426)	
310.913	am	(P-9426)	
310.920	am	(P-9426)	
310.921	n	(P-9426)	
310.922	n	(P-9426)	
365.101	n	(P-18030/88; A-7351)	
365.102	n	(P-18030/88; A-7351)	
365.103	n	(P-18030/88; A-7351)	
365.104	n	(P-18030/88; A-7351)	

SAI - 13

TITLE 35 (CONT'D)			TITLE 35 (CONT'D)			TITLE 35 (CONT'D)		
378.204	n	(P-12753/88; A-1190)	724.115	am	(P-9909)	728.Tb.A	am	(P-9786)
378.301	n	(P-12753/88; A-1190)	724.118	am	(P-9909)	728.Tb.B	n	(P-9786)
378.302	n	(P-12753/88; A-1190)	724.154	am	(P-9909)	728.Ap.A	am	(P-9786)
378.Ap. A	n	(P-12753/88; A-1190)	724.173	am	(P-9909)	728.Ap.B	am	(P-9786)
378.Ap. B	n	(P-12753/88; A-1190)	724.190	am	(P-9909)	731.101	r	(P-2650)
378.Ap. C	n	(P-12753/88; A-1190)	724.191	am	(P-9909)	731.101	r	(P-6861)
378.Ap. D	n	(P-12753/88; A-1190)	724.192	am	(P-9909)	731.102	r	(P-6861)
378.Ap. E	n	(P-12753/88; A-1190)	724.197	am	(P-9909)	731.102	r	(P-2650)
601.105	am	(P-262)	724.198	am	(P-9909)	731.103	r	(P-2650)
604.203	am	(P-255)	724.199	am	(P-9909)	731.103	r	(P-6861)
605.104	am	(P-269; C-2539)	724.211	am	(P-9909)	731.110	n	(P-2650; A-9519)
661.302	am	(P-1738)	724.212	am	(P-9909)	731.111	n	(P-2650; A-9519)
702.104	am	(P-9835)	724.214	am	(P-9909)	731.112	n	(P-2650; A-9519)
702.110	am	(P-9835)	724.217	am	(P-9909)	731.113	n	(P-2650; A-9519)
702.152	am	(P-9835)	724.218	am	(P-9909)	731.114	n	(P-2650; A-9519)
702.160	am	(P-9835)	724.241	am	(P-9909)	731.120	n	(P-2650; A-9519)
702.181	am	(P-9835)	724.242	am	(P-9909)	731.121	n	(P-2650; A-9519)
702.182	am	(P-9835)	724.244	am	(P-9909)	731.122	n	(P-2650; A-9519)
702.183	am	(P-9835)	724.247	am	(P-9909)	731.130	n	(P-2650; A-9519)
702.184	am	(P-9835)	724.251	am	(P-9909)	731.131	n	(P-2650; A-9519)
702.185	am	(P-9835)	724.290	am	(P-9909)	731.132	n	(P-2650; A-9519)
702.186	am	(P-9835)	724.293	am	(P-9909)	731.133	n	(P-2650; A-9519)
702.187	am	(P-9835)	724.296	am	(P-9909)	731.134	n	(P-2650; A-9519)
703.123	am	(P-15444/88; A-447)	724.700	n	(P-9909)	731.140	n	(P-2650; A-9519)
703.183	am	(P-9860)	724.701	n	(P-9909)	731.141	n	(P-2650; A-9519)
703.184	am	(P-9860)	724.702	n	(P-9909)	731.142	n	(P-2650; A-9519)
703.209	n	(P-9860)	724.703	n	(P-9909)	731.143	n	(P-2650; A-9519)
703.222	am	(P-9860)	724.Ap. I	n	(P-15455/88; A-458)	731.144	n	(P-2650; A-9519)
703.223	am	(P-9860)	725.101	am	(P-15402/88; A-437)	731.145	n	(P-2650; A-9519)
703.230	am	(P-9860)	725.113	am	(P-9737)	731.150	n	(P-2650; A-9519)
703.247	n	(P-9860)	725.173	am	(P-9737)	731.151	n	(P-2650; A-9519)
703.260	n	(P-9860)	725.212	am	(P-9737)	731.152	n	(P-2650; A-9519)
703.270	n	(P-9860)	725.214	am	(P-9737)	731.153	n	(P-2650; A-9519)
703.271	n	(P-9860)	725.218	am	(P-9737)	731.160	n	(P-2650; A-9519)
703.272	n	(P-9860)	725.241	am	(P-9737)	731.161	n	(P-2650; A-9519)
703.273	n	(P-9860)	725.247	am	(P-9737)	731.162	n	(P-2650; A-9519)
703.280	n	(P-9860)	725.290	am	(P-9737)	731.163	n	(P-2650; A-9519)
703.281	n	(P-9860)	725.293	am	(P-9737)	731.164	n	(P-2650; A-9519)
703.282	n	(P-9860)	725.296	am	(P-9737)	731.165	n	(P-2650; A-9519)
703.283	n	(P-9860)	725.301	am	(P-9737)	731.166	n	(P-2650; A-9519)
703.Ap.A	n	(P-9860)	726.120	am	(P-9988)	731.167	n	(P-2650; A-9519)
704.143	am	(P-17167/88; A-478)	728.101	am	(P-9786)	731.170	n	(P-2650; A-9519)
720.110	am	(P-15327/88; A-362) (P-9661)	728.104	am	(P-9786)	731.171	n	(P-2650; A-9519)
720.111	am	(P-15327/88; A-362) (P-9661)	728.105	am	(P-9786)	731.172	n	(P-2650; A-9519)
721.104	am	(P-15347/88; A-382) (P-9683)	728.106	am	(P-9786)	731.173	n	(P-2650; A-9519)
721.105	am	(P-15347/88; A-382)	728.107	am	(P-9786)	731.174	n	(P-2650; A-9519)
721.132	am	(P-9683)	728.108	n	(P-9786)	731.175	n	(P-2650; A-9519)
721.133	am	(P-15347/88; A-382) (P-9683)	728.130	am	(P-9786)	731.190	n	(P-6861)
721.Ap.G	am	(P-9683)	728.131	am	(P-9786)	731.191	n	(P-6861)
721.Ap.H	am	(P-15347/88; A-382) (P-9683)	728.132	am	(P-9786)	731.192	n	(P-6861)
722.110	am	(P-15449/88; A-452)	728.133	n	(P-9786)	731.193	n	(P-6861)
722.151	am	(P-15449/88; A-452)	728.140	am	(P-9786)	731.194	n	(P-6861)
722.Ap.A	am	(P-9905)	728.142	am	(P-9786)	731.195	n	(P-6861)
724.101	am	(P-15455/88; A-458)	728.143	am	(P-9786)	731.196	n	(P-6861)
724.110	am	(P-9909)	728.144	am	(P-9786)	731.197	n	(P-6861)
724.113	am	(P-9909)	728.150	am	(P-9786)	731.198	n	(P-6861)
						731.199	n	(P-6861)

TITLE 35 (CONT'D)			TITLE 35 (CONT'D)			TITLE 35 (CONT'D)		
731.202	n	(P-6861)	728.Tb.A	am	(P-9786)	731.202	n	(P-6861)
731.203	n	(P-6861)	728.Tb.B	n	(P-9786)	731.203	n	(P-6861)
731.204	n	(P-6861)	728.Ap.A	am	(P-9786)	731.204	n	(P-6861)
731.205	n	(P-6861)	728.Ap.B	am	(P-9786)	731.205	n	(P-6861)
731.206	n	(P-6861)	731.101	r	(P-2650)	731.206	n	(P-6861)
731.207	n	(P-6861)	731.101	r	(P-6861)	731.207	n	(P-6861)
731.208	n	(P-6861)	731.102	r	(P-6861)	731.208	n	(P-6861)
731.209	n	(P-6861)	731.102	r	(P-2650)	731.209	n	(P-6861)
731.210	n	(P-6861)	731.103	r	(P-2650)	731.210	n	(P-6861)
731.211	n	(P-6861)	731.103	r	(P-6861)	731.211	n	(P-6861)
731.900	r	(P-2650)	731.110	n	(P-2650; A-9519)	731.900	r	(P-2650)
731.901	r	(P-2650)	731.111	n	(P-2650; A-9519)	731.901	r	(P-2650)
731.901	r	(P-6861)	731.112	n	(P-2650; A-9519)	731.901	r	(P-6861)
808.100	n	(P-13468)	731.113	n	(P-2650; A-9519)	808.100	n	(P-13468)
808.101	n	(P-13468)	731.114	n	(P-2650; A-9519)	808.101	n	(P-13468)
808.110	n	(P-13468)	731.120	n	(P-2650; A-9519)	808.110	n	(P-13468)
808.111	n	(P-13468)	731.121	n	(P-2650; A-9519)	808.111	n	(P-13468)
808.121	n	(P-13468)	731.122	n	(P-2650; A-9519)	808.121	n	(P-13468)
808.122	n	(P-13468)	731.130	n	(P-2650; A-9519)	808.122	n	(P-13468)
808.123	n	(P-13468)	731.131	n	(P-2650; A-9519)	808.123	n	(P-13468)
808.240	n	(P-13468)	731.132	n	(P-2650; A-9519)	808.240	n	(P-13468)
808.241	n	(P-13468)	731.133	n	(P-2650; A-9519)	808.241	n	(P-13468)
808.242	n	(P-13468)	731.134	n	(P-2650; A-9519)	808.242	n	(P-13468)
808.243	n	(P-13468)	731.140	n	(P-2650; A-9519)	808.243	n	(P-13468)
808.244	n	(P-13468)	731.141	n	(P-2650; A-9519)	808.244	n	(P-13468)
808.245	n	(P-13468)	731.142	n	(P-2650; A-9519)	808.245	n	(P-13468)
808.246	n	(P-13468)	731.143	n	(P-2650; A-9519)	808.246	n	(P-13468)
808.300	n	(P-13468)	731.144	n	(P-2650; A-9519)	808.300	n	(P-13468)
808.301	n	(P-13468)	731.145	n	(P-2650; A-9519)	808.301	n	(P-13468)
808.302	n	(P-13468)	731.150	n	(P-2650; A-9519)	808.302	n	(P-13468)
808.400	n	(P-13468)	731.151	n	(P-2650; A-9519)	808.400	n	(P-13468)
808.401	n	(P-13468)	731.152	n	(P-2650; A-9519)	808.401	n	(P-13468)
808.402	n	(P-13468)	731.153	n	(P-2650; A-9519)	808.402	n	(P-13468)
808.410	n	(P-13468)	731.160	n	(P-2650; A-9519)	808.410	n	(P-13468)
808.411	n	(P-13468)	731.161	n	(P-2650; A-9519)	808.411	n	(P-13468)
808.412	n	(P-13468)	731.162	n	(P-2650; A-9519)	808.412	n	(P-13468)
808.413	n	(P-13468)	731.163	n	(P-2650; A-9519)	808.413	n	(P-13468)
808.420	n	(P-13468)	731.164	n	(P-2650; A-9519)	808.420	n	(P-13468)
808.430	n	(P-13468)	731.165	n	(P-2650; A-9519)	808.430	n	(P-13468)
808.431	n	(P-13468)	731.166	n	(P-2650; A-9519)	808.431	n	(P-13468)
808.501	n	(P-13468)	731.167	n	(P-2650; A-9519)	808.501	n	(P-13468)
808.502	n	(P-13468)	731.170	n	(P-2650; A-9519)	808.502	n	(P-13468)
808.503	n	(P-13468)	731.171	n	(P-2650; A-9519)	808.503	n	(P-13468)
808.520	n	(P-13468)	731.172	n	(P-2650; A-9519)	808.520	n	(P-13468)
808.521	n	(P-13468)	731.173	n	(P-2650; A-9519)	808.521	n	(P-13468)
808.522	n	(P-13468)	731.174	n	(P-2650; A-9519)	808.522	n	(P-13468)
808.541	n	(P-13468)	731.190	n	(P-6861)	808.541	n	(P-13468)
808.542	n	(P-13468)	731.191	n	(P-6861)	808.542	n	(P-13468)
808.543	n	(P-13468)	731.192	n	(P-6861)	808.543	n	(P-13468)
808.544	n	(P-13468)	731.193	n	(P-6861)	808.544	n	(P-13468)
808.545	n	(P-13468)	731.194	n	(P-6861)	808.545	n	(P-13468)
808.600	n	(P-13468)	731.195	n	(P-6861)	808.600	n	(P-13468)
808.Ap.A	n	(P-13468)	731.196	n	(P-6861)	808.Ap.A	n	(P-13468)
808.Ap.B	n	(P-13468)	731.197	n	(P-6861)	808.Ap.B	n	(P-13468)
808.Ap.C	n	(P-13468)	731.198	n	(P-6861)	808.Ap.C	n	(P-13468)
			731.199	n	(P-6861)			

TITLE 35 (CONT'D)

808 Ap.D	n	(P-13468)
809.101	n	(P-13699)
809.102	am	(P-13699)
809.103	am	(P-13699)
809.201	am	(P-13699)
809.202	am	(P-13699)
809.203	am	(P-13699)
809.204	am	(P-13699)
809.205	am	(P-13699)
809.206	am	(P-13699)
809.207	am	(P-13699)
809.208	am	(P-13699)
809.209	am	(P-13699)
809.210	r	(P-13699)
809.211	r	(P-13699)
809.212	n	(P-13699)
809.222	n	(P-13699)
809.223	n	(P-13699)
809.224	n	(P-13699)
809.225	n	(P-13699)
809.226	n	(P-13699)
809.227	n	(P-13699)
809.301	n	(P-13699)
809.302	r	(P-13699)
809.320	n	(P-13699)
809.324	n	(P-13699)
809.351	n	(P-13699)
809.354	n	(P-13699)
809.401	am	(P-13699)
809.402	am	(P-13699)
809.501	am	(P-13699)
809.502	n	(P-13699)
809.521	n	(P-13699)
809.601	am	(P-13699)
809.701	am	(P-13699)
809.801	r	(P-13699)
809.802	r	(P-13699)
809.901	r	(P-13699)
809.902	r	(P-13699)
809.903	r	(P-13699)
809.904	r	(P-13699)
809.905	r	(P-13699)
809.906	r	(P-13699)
809 Ap.A	r	(P-13699)
849.101	n	(P-15828/88; A-7949)
849.102	n	(P-15828/88; A-7949)
849.103	n	(P-15828/88; A-7949)
849.104	n	(P-15828/88; A-7949)
849.105	n	(P-15828/88; A-7949)
849.106	n	(P-15828/88; A-7949)
855.103	am	(P-19834/88; A-13206)
855.203	am	(P-19834/88; A-13206)
855.204	am	(P-19834/88; A-13206)
855.205	am	(P-19834/88; A-13206)
855.207	am	(P-19834/88; A-13206)
856.101	am	(P-21000/88; A-13212)

TITLE 35 (CONT'D)

856.102	am	(P-21000/88; A-13212)
856.201	am	(P-21000/88; A-13212)
856.202	am	(P-21000/88; A-13212)
856.204	re	(A-5945)
858.201	re	(A-5945)
858.202	re	(A-5945)
858.208	re	(A-5945)
858.304	re	(A-5945)
858.305	re	(A-5945)
858.306	re	(A-5945)
858.308	re	(A-5945)
858.309	re	(A-5945)
858.310	re	(A-5945)
TITLE 38		
190.10	am	(P-14097/88; O-2248/38; R-966; A-3793)
190.50	am	(P-14097/88; O-2248/38; R-966; A-3793)
190.70	am	(P-14097/88; O-2248/38; R-966; A-3793)
190.140	am	(P-14097/88; O-2248/38; R-966; A-3793)
190.160	am	(P-14097/88; O-2248/38; R-966; A-3793)
190.165	n	(P-4107)
190.180	am	(P-14097/88; O-2248/38; R-966; A-3793)
303.10	n	(P-2889)
303.20	n	(P-2889)
320.10	n	(P-8737)
320.20	n	(P-8737)
320.30	n	(P-8737)
320.40	n	(P-8737)
350.10	n	(P-12163)
350.20	n	(P-12163)
350.30	n	(P-12163)
350.40	n	(P-12163)
400.110	am	(P-1985; A-8927)
400.120	am	(P-1985; A-8927)
400.130	am	(P-1985; A-8927)
400.140	r	(P-1985; A-8927)
400.141	am	(P-1985; A-8927)
400.142	am	(P-1985; A-8927)
400.150	am	(P-1985; A-8927)
400.440	am	(P-1985; A-8927)
400.510	am	(P-1985; A-8927)
400.615	am	(P-1985; A-8927)
400.665	am	(P-1985; A-8927)
400.675	r	(P-1985; A-8927)
400.710	am	(P-1985; A-8927)
400.1020	am	(P-1985; A-8927)
400.1030	am	(P-1985; A-8927)
400.1060	am	(P-1985; A-8927)
400.1110	am	(P-1985; A-8927)

TITLE 38 (CONT'D)

400.1120	am	(P-1985; A-8927)
400.1140	r	(P-1985; A-8927)
400.1530	am	(P-1985; A-8927)
400.1550	am	(P-1985; A-8927)
400.2010	am	(P-1985; A-8927)
400.2055	n	(P-1985; A-8927)
400.2500	am	(P-1985; A-8927)
400.2510	am	(P-1985; A-8927)
400.2520	am	(P-1985; A-8927)
400.2700	n	(P-1985; A-8927)
400.2710	n	(P-1985; A-8927)
450.110	am	(P-12766)
450.115	am	(P-12766)
450.120	am	(P-12766)
450.140	am	(P-12766)
450.190	n	(P-12766)
450.230	am	(P-12766)
450.250	am	(P-12766)
450.270	am	(P-12766)
450.290	am	(P-12766)
450.340	am	(P-12766)
450.350	am	(P-12766)
450.410	am	(P-12766)
450.420	r	(P-12766)
450.430	am	(P-12766)
450.460	am	(P-12766)
450.470	am	(P-12766)
450.475	n	(P-12766)
450.480	am	(P-12766)
450.630	am	(P-12766)
450.640	am	(P-12766)
450.740	am	(P-12766)
450.750	am	(P-12766)
450.810	am	(P-12766)
450.820	am	(P-12766)
450.860	am	(P-12766)
450.920	am	(P-12766)
450.930	am	(P-12766)
450.1010	am	(P-12766)
450.1020	am	(P-12766)
450.1110	am	(P-12766)
450.1140	am	(P-12766)
450.1305	am	(P-12766)
450.1320	am	(P-12766)
450.1335	am	(P-12766)
450.1340	am	(P-12766)
450.1360	am	(P-12766)

TITLE 41

100.110	n	(E-582; P-1323; A-12547)
170.10	am	(P-1756; O-13288) (E-1886)
170.71	n	(P-1756; O-13288) (E-1886)
170.72	n	(P-1756) (E-1886)
170.73	am	(P-1756) (E-1886)
170.75	am	(P-1756) (E-1886)
170.75	#	(A-5669)

TITLE 41 (CONT'D)

170.106	n	(P-1756) (E-1886)
170.107	n	(P-1756) (E-1886)
170.108	n	(P-1756) (E-1886)
170.400	n	(A-5669; O-13305)
170.410	n	(A-5669)
170.420	n	(A-5669)
170.430	n	(A-5669; O-13305)
170.440	n	(A-5669)
170.450	n	(A-5669)
170.460	n	(A-5669; O-13305)
170.470	n	(A-5669)
170.480	n	(A-5669; O-13305)
170.490	n	(A-5669)
170.500	n	(A-5669)
170.510	n	(A-5669)
170.520	n	(A-5669)
170.530	am	(A-5669)
170.530	am	(A-7744; O-13305)
170.540	n	(A-5669)
170.550	n	(A-5669)
170.560	n	(A-5669)
170.570	n	(A-5669)
170.580	n	(A-5669)
170.590	n	(A-5669)
170.600	n	(A-5669)
170.610	n	(A-5669; O-13305) (A-8875)
170.620	n	(A-5669; O-13305)
170.630	n	(A-5669)
170.640	n	(A-5669)
170.650	n	(A-5669)
170.660	n	(A-5669)
170.670	#	(A-5669)
170.670	am	(A-5669)
170.700	n	(A-8515)
170.700	n	(A-5669)
170.700	n	(A-5669)
170.700	n	(A-5669)
180.10	am	(E-1875; O-5807)
180.10	am	(P-1754) (E-1875)
180.20	am	(E-1875; O-5807)
180.20	am	(P-1754) (E-1875)
180.25	n	(E-1875; O-5807)
180.25	n	(P-1754) (E-1875)

TITLE 44

525.5	r	(P-2709)
525.10	am	(P-2709)
525.20	am	(P-2709)
525.30	n	(P-2709)
525.60	n	(P-2709)
525.70	#	(P-2709)
525.70	am	(P-2709)
525.100	am	(P-2709)
525.110	am	(P-2709)
525.200	#	(P-2709)
525.300	am	(P-2709)
525.310	r	(P-2709)

TITLE 44 (CONT'D)		TITLE 44 (CONT'D)	
525.320	am (P-2709)	530.640	am (P-2648)
525.330	am (P-2709)	530.650	am (P-2648)
525.340	am (P-2709)	530.660	am (P-2648)
525.350	am (P-2709)	530.670	am (P-2648)
525.400	am (P-2709)	530.700	am (P-2648)
525.410	am (P-2709)	530.710	am (P-2648)
525.500	am (P-2709)	530.720	am (P-2648)
525.510	am (P-2709)	535.5	r (P-2766)
525.520	am (P-2709)	535.10	am (P-2766)
525.530	am (P-2709)	535.20	am (P-2766)
525.540	n (P-2709)	535.50	n (P-2766)
525.600	am (P-2709)	535.60	n (P-2766)
525.610	am (P-2709)	535.70	# (P-2766)
525.620	am (P-2709)	535.70	am (P-2766)
525.630	am (P-2709)	535.100	am (P-2766)
525.640	am (P-2709)	535.110	am (P-2766)
525.650	am (P-2709)	535.200	# (P-2766)
525.660	am (P-2709)	535.200	am (P-2766)
525.670	am (P-2709)	535.300	am (P-2766)
525.700	am (P-2709)	535.310	r (P-2766)
525.710	am (P-2709)	535.320	am (P-2766)
525.720	am (P-2709)	535.330	am (P-2766)
526.10	n (P-2746; O-14117)	535.340	am (P-2766)
526.20	n (P-2746; O-14117)	535.350	am (P-2766)
526.30	n (P-2746; O-14117)	535.400	am (P-2766)
526.40	n (P-2746; O-14117)	535.410	am (P-2766)
526.50	n (P-2746; O-14117)	535.500	am (P-2766)
526.60	n (P-2746; O-14117)	535.510	am (P-2766)
526.70	n (P-2746; O-14117)	535.520	am (P-2766)
530.5	r (P-2648)	535.530	am (P-2766)
530.10	am (P-2648)	535.540	n (P-2766)
530.20	am (P-2648)	535.600	am (P-2766)
530.30	n (P-2648)	535.610	am (P-2766)
530.40	n (P-2648)	535.620	am (P-2766)
530.70	# (P-2648)	535.630	am (P-2766)
530.70	am (P-2648)	535.640	am (P-2766)
530.100	am (P-2648)	535.650	am (P-2766)
530.110	am (P-2648)	535.660	am (P-2766)
530.200	# (P-2648)	535.670	am (P-2766)
530.300	am (P-2648)	535.700	am (P-2766)
530.310	r (P-2648)	535.710	am (P-2766)
530.320	am (P-2648)	535.720	am (P-2766)
530.330	am (P-2648)	540.5	r (P-2764)
530.340	am (P-2648)	540.10	am (P-2764)
530.350	am (P-2648)	540.20	am (P-2764)
530.400	am (P-2648)	540.50	n (P-2764)
530.410	am (P-2648)	540.60	n (P-2764)
530.500	am (P-2648)	540.70	# (P-2764)
530.510	am (P-2648)	540.70	am (P-2764)
530.520	am (P-2648)	540.100	am (P-2764)
530.530	am (P-2648)	540.110	am (P-2764)
530.540	n (P-2648)	540.200	# (P-2764)
530.600	am (P-2648)	540.300	am (P-2764)
530.610	am (P-2648)	540.310	r (P-2764)
530.620	am (P-2648)	540.320	am (P-2764)
530.630	am (P-2648)	540.330	am (P-2764)
		540.340	am (P-2764)

TITLE 50 (CONT'D)		
2008.90	am	(P-251; A-8520 (E-586; O-3471))
2008.Ap. A	am	(P-251; A-8520 (E-586; O-3471))
2008.Ap. B	am	(P-251; A-8520 (E-586; O-3471))
2008.Ap. C	am	(P-251; A-8520 (E-586; O-3471))
2008.Ap. E	n	(P-251; A-8520 (E-586; O-3471))
2008.Ap. F	n	(P-251; A-8520 (E-586; O-3471))
2008.Ap. G	n	(P-251; A-8520 (E-586; O-3471))
2011.10	n	(P-13558/88; A-3804)
2011.20	n	(P-13558/88; A-3804)
2011.30	n	(P-13558/88; A-3804)
2011.40	n	(P-13558/88; A-3804)
2011.50	n	(P-13558/88; A-3804)
2011.60	n	(P-13558/88; A-3804)
2011.70	n	(P-13558/88; A-3804)
2011.Ap. A	n	(P-13558/88; A-3804)
2011.Ap. B	n	(P-13558/88; A-3804)
2011.Ap. C	n	(P-13558/88; A-3804)
2012.10	n	(P-9181)
2012.20	n	(P-9181)
2012.30	n	(P-9181)
2012.40	n	(P-9181)
2012.50	n	(P-9181)
2012.60	n	(P-9181)
2012.70	n	(P-9181)
2012.80	n	(P-9181)
2012.90	n	(P-9181)
2012.100	n	(P-9181)
2012.110	n	(P-9181)
2012.Ex. A	n	(P-9181)
2012.Ex. B	n	(P-9181)
2012.Ex. C	n	(P-9181)
2502.10	r	(P-2234; A-12053)
2502.20	r	(P-2234; A-12053)
2801.50	am	(P-3531)
3113.50	am	(P-12935)
3113.60	am	(P-12935)
6301.Ex. A	am	(P-14502/88; A-1780)
6302.40	am	(P-15269/88; A-3801)
6701.10	n	(P-17617/88; A-5951)
6701.20	n	(P-17617/88; A-5951)
6701.30	n	(P-17617/88; A-5951)
6701.Ex. A	n	(P-17617/88; A-5951)
8010.10	n	(P-14349)
8010.20	n	(P-14349)
8010.30	n	(P-14349)
8010.40	n	(P-14349)
8010.50	n	(P-14349)
8010.60	n	(P-14349)
8010.70	n	(P-14349)

350.20	am	(P-1527288; W-6819) (P-5839)
350.280	am	(P-1527288; W-6819) (P-5839)
350.300	n	(P-1527288; W-6819) (P-5839)
350.310	n	(P-1527288; W-6819) (P-5839)
350.320	n	(P-1527288; W-6819) (P-5839)

SAI - 20

TITLE 56 (CONTD)		
350.330	n	(P-15272/88; W-681*) (P-5839)
350.340	n	(P-15272/88; W-681*) (P-5839)
350.350	n	(P-15272/88; W-681*) (P-5839)
350.360	n	(P-15272/88; W-681*) (P-5839)
350.370	n	(P-15272/88; W-681*) (P-5839)
350.380	n	(P-15272/88; W-681*) (P-5839)
350.400	n	(P-15272/88; W-681*) (P-5839)
350.410	n	(P-15272/88; W-681*) (P-5839)
350.420	n	(P-15272/88; W-681*) (P-5839)
350.430	n	(P-15272/88; W-681*) (P-5839)
350.440	n	(P-15272/88; W-681*) (P-5839)
350.450	n	(P-15272/88; W-681*) (P-5839)
2090.105	am	(P-17)
2600.20	am	(P-3515; A-13839) (I-4028)
2600.30	am	(P-3531)
2610.60	am	(P-3515; A-13839) (I-4028)
2610.100	am	(P-5017)
2610.130	am	(A-4366; O-13282)
2610.130	am	(A-4366)
2610.4p, A	n	(P-5017)
2625.20	n	(P-3513; A-13830) (I-4019)
2625.30	n	(P-3513; A-13830) (I-4019)
2625.40	n	(P-3513; A-13830) (I-4019)
2625.50	n	(P-3513; A-13830) (I-4019)
2712.201	n	(P-15257/88; O-2242 238; R-965; A-795)
2712.202	n	(P-15257/88; O-2242 238; R-965; A-795)
2712.203	n	(P-15257/88; O-2242 238; R-965; A-795)
2712.205	n	(P-15257/88; O-2242 238; R-965; A-795)
2712.207	n	(P-15257/88; O-2242 238; R-965; A-795)
2712.210	n	(P-15257/88; O-2242 238; R-965; A-795)
2720.1	am	(P-5362; W-11960) (2-11139)
2720.130	am	(P-5362; W-11960) (2-11139) (E-11890)
2720.132	n	(P-5362; W-11960) (2-11139) (E-11890)
2725.20	am	(P-5344; W-11959) (2-11120) (E-11872)
2725.100	am	(P-5344; W-11959) (2-11120) (E-11872)
2725.105	am	(P-5344; W-11959) (2-11120) (E-11872)
2725.120	am	(P-5344; W-11959) (2-11120) (E-11872)
2725.250	am	(P-5344; W-11959) (2-11120) (E-11872)
2725.270	am	(P-5344; W-11959) (2-11120) (E-11872)
2732.200	n	(P-12748)
2732.210	n	(P-1945; A-8864)
2765.205	n	(P-752)
2765.325	n	(P-5375; W-11961) (2-11155) (E-11911)

SAI - 21

TITLE 56 (CONTD)		TITLE 59 (CONTD)	
2765.326	n (P-11155) (E-11911)	119.325	n (P-13377)
2765.328	n (P-5375; W-11961) (P-11155)	119.330	n (P-13377)
2765.330	n (P-5375; W-11961) (P-11155)	119.335	n (P-13377)
2765.332	n (P-5375; W-11961) (P-11155)	119.340	n (P-13377)
	(E-11911)	119.345	n (P-13377)
2765.333	n (P-5375; W-11961) (P-11155)	119.350	n (P-13377)
	(E-11911)	119.355	n (P-13377)
2765.334	n (P-5375; W-11961) (P-11155)	119.360	n (P-13377)
	(E-11911)	119.365	n (P-13377)
2765.335	n (P-5375; W-11961) (P-11155)	119.370	n (P-13377)
	(E-11911)	119.375	n (P-13377)
2770.105	am (P-743; A-11507)	119.380	n (P-13377)
2815.105	am (P-13141) (E-13268)	119.385	n (P-13377)
2905.1	am (P-2229; A-11502)	119.390	n (P-13377)
2905.15	am (P-2229; A-11502)	119.395	n (P-13377)
2905.25	r (P-2229; A-11502)	119.500	n (P-13377)
2905.40	n (P-2229; A-11502)	119.700	n (P-13377)
2920.5	am (P-11153) (E-11899)	119.705	n (P-13377)
2920.65	r (P-11153) (E-11899)	119.710	n (P-13377)
2920.68	r (P-2229588; A-5936)	119.715	n (P-13377)
2920.70	r (P-11153) (E-11899)	119.800	n (P-13377)
2920.75	r (P-11153) (E-11899)	119.900	n (P-13377)
2920.80	r (P-11153) (E-11899)	119.905	n (P-13377)
2960.105	am (P-17; A-5940)	119.910	n (P-13377)
6000.10	am (P-7845) (E-8025)	119.1000	n (P-13377)
6000.80	am (P-13993)	119.1005	n (P-13377)
6000.280	am (P-7845) (E-8025)	119.1100	n (P-13377)
6000.310	n (P-7845) (E-8025)	119.1105	n (P-13377)
6000.320	n (P-7845) (E-8025)		
TITLE 59		TITLE 62	
106.15	am (P-1808788; A-3821)	220.10	am (P-23; A-5955)
112.10	n (P-8208)	220.80	am (P-23; A-5955)
112.20	n (P-8208)	220.160	am (P-756; A-13220)
112.30	n (P-8208)	1700.11	am (P-12317)
119.100	n (P-13377)	1701.Ap. A	am (P-12222)
119.105	n (P-13377)	1761.11	am (P-12197)
119.115	n (P-13377)	1761.12	am (P-12197)
119.120	n (P-13377)	1772.12	am (P-12311)
119.125	n (P-13377)	1773.5	n (P-12317)
119.130	n (P-13377)	1773.11	am (P-12317)
119.135	n (P-13377)	1773.15	am (P-12317)
119.140	n (P-13377)	1773.17	am (P-12317)
119.200	n (P-13377)	1773.19	am (P-12317)
119.205	n (P-13377)	1773.20	n (P-12317)
119.210	n (P-13377)	1773.21	n (P-12317)
119.215	n (P-13377)	1774.15	am (P-12334)
119.220	n (P-13377)	1774.17	am (P-12334)
119.225	n (P-13377)	1778.13	am (P-12303)
119.230	n (P-13377)	1778.14	am (P-12303)
119.235	n (P-13377)	1779.12	am (P-12347)
119.300	n (P-13377)	1779.20	r (P-12347)
119.305	n (P-13377)	1780.16	am (P-12352)
119.310	n (P-13377)	1780.21	am (P-12352)
119.315	n (P-13377)	1780.31	am (P-12352)
119.320	n (P-13377)	1783.12	am (P-12366)
119.325	n (P-13377)	1783.20	r (P-12366)

TITLE 62 (CONT'D)	
1784.17	am (P-12371)
1784.17	am (P-12371)
1784.21	am (P-12371)
1800.21	am (P-12205)
1800.40	am (P-12205)
1800.60	am (P-12205)
1816.49	am (P-12255)
1816.61	am (P-12255)
1816.64	am (P-12255)
1816.67	am (P-12255)
1816.68	am (P-12255)
1816.83	am (P-12255)
1816.97	am (P-12255)
1816.99	am (P-12255)
1816.102	am (P-12255)
1817.49	am (P-12280)
1817.61	am (P-12280)
1817.64	am (P-12280)
1817.66	am (P-12280)
1817.67	am (P-12280)
1817.68	am (P-12280)
1817.83	am (P-12280)
1817.97	am (P-12280)
1817.122	am (P-12280)
1843.11	n (P-12341)
1846.11	n (P-12248)
1846.5	n (P-12248)
1846.12	n (P-12248)
1846.14	n (P-12248)
1846.17	n (P-12248)
1846.18	n (P-12248)
TITLE 68	
600.10	am (P-19795/88; A-3665)
600.30	am (P-19795/88; A-3665)
600.60	am (P-19795/88; A-3665)
600.80	am (P-19795/88; A-3665)
600.90	n (P-19795/88; A-3665)
600.100	n (P-19795/88; A-3665)
600.110	n (P-19795/88; A-3665)
610.10	am (P-19205/88; A-3690)
610.20	am (P-19205/88; A-3690)
610.30	am (P-19205/88; A-3690)
610.40	am (P-19205/88; A-3690)
610.60	am (P-19205/88; A-3690)
750.1000	r (P-6934)
750.1000	r (P-6949)
750.1010	r (P-6934)
750.1010	n (P-6949)
750.2000	r (P-6934)
750.2000	n (P-6949)
750.2010	r (P-6934)
750.2010	n (P-6949)
750.2020	r (P-6934)
750.2020	n (P-6949)
750.2030	r (P-6934)

TITLE 68 (CONT'D)		
750.2030	n	(P-6949)
750.2040	r	(P-6934)
750.2040	n	(P-6949)
750.2040	n	(P-6949)
750.3000	r	(P-6934)
750.3000	n	(P-6949)
750.3010	r	(P-6934)
750.3010	n	(P-6949)
750.3020	r	(P-6934)
750.3020	n	(P-6949)
750.3030	r	(P-6934)
750.3030	n	(P-6949)
750.3040	r	(P-6934)
750.3040	n	(P-6949)
750.3050	r	(P-6934)
750.3050	n	(P-6949)
750.3060	r	(P-6934)
750.3060	n	(P-6949)
750.3070	n	(P-6949)
750.4000	r	(P-6934)
750.4010	r	(P-6934)
750.4020	r	(P-6934)
750.4030	r	(P-6934)
750.4040	r	(P-6934)
750.4050	r	(P-6934)
750.4060	r	(P-6934)
750.4070	r	(P-6934)
750.4080	r	(P-6934)
750.5000	r	(P-6934)
1150.10	n	(P-14216)
1150.20	am	(P-14216)
1150.30	am	(P-14216)
1150.Ap.A	n	(P-14216)
1150.Ap.B	n	(P-14216)
1175.425	am	(E-6810) (P-7185)
1175.600	am	(E-6810) (P-7185)
1200.30	am	(E-11993; C-12648)
1220.110	am	(P-5867/88; A-4191)
1220.120	am	(P-5867/88; A-4191)
1220.130	am	(P-5867/88; A-4191)
1220.140	am	(P-5867/88; A-4191)
1220.150	r	(P-5867/88; A-4191)
1220.160	n	(P-5867/88; A-4191)
1220.220	am	(P-5867/88; A-4191)
1220.231	am	(P-5867/88; A-4191)
1220.240	am	(P-5867/88; A-4191)
1220.260	n	(P-5867/88; A-4191)
1220.340	r	(P-5867/88; A-4191)
1220.350	n	(P-5867/88; A-4191)
1220.400	n	(P-5867/88; A-4191)
1220.410	r	(P-5867/88; A-4191)
1220.410	n	(P-5867/88; A-4191)
1220.421	am	(P-5867/88; A-4191)
1220.425	n	(P-5867/88; A-4191)
1220.431	r	(P-5867/88; A-4191)
1220.435	am	(P-5867/88; A-4191)
1220.500	n	(P-5867/88; A-4191)

TITLE 68 (CONT'D)		
1220.510	n	(P-5867/88; A-4191)
1220.520	n	(P-5867/88; A-4191)
1220.530	n	(P-5867/88; O-3444; R-4306; A-4191)
1220.540	n	(P-5867/88; A-4191)
1220.550	n	(P-5867/88; A-4191)
1220.560	n	(P-5867/88; A-4191)
1220.Ap. A	r	(P-5867/88; A-4191)
1220.Ap. B	am	(P-5867/88; A-4191)
1220.Ap. C	am	(P-5867/88; A-4191)
1250.130	am	(P-3535; A-14061)
1250.190	am	(P-3535; A-14061)
1280.10	r	(P-8536/88; A-513)
1280.20	r	(P-8536/88; A-513)
1280.30	r	(P-8536/88; A-513)
1280.40	r	(P-8536/88; A-513)
1280.50	r	(P-8536/88; A-513)
1280.60	r	(P-8536/88; A-513)
1280.70	r	(P-8536/88; A-513)
1280.80	r	(P-8536/88; A-513)
1280.85	r	(P-8536/88; A-513)
1280.105	r	(P-8536/88; A-513)
1280.107	r	(P-8536/88; A-513)
1280.110	r	(P-8536/88; A-513)
1285.20	am	(P-274; O-5994; R-10712; A-10613) (E-651; O-3475)
1285.20	n	(P-8571/88; A-483)
1285.30	n	(P-8571/88; A-483)
1285.40	n	(P-8571/88; A-483)
1285.50	am	(P-274; A-10613) (E-651)
1285.50	n	(P-8571/88; A-483)
1285.60	n	(P-8571/88; A-483)
1285.70	am	(P-274; A-10613) (E-651)
1285.70	n	(P-8571/88; A-483)
1285.80	n	(P-8571/88; A-483)
1285.90	n	(P-8571/88; A-483)
1285.100	n	(P-274; O-5994; A-10613) (E-651)
1285.110	n	(P-8571/88; A-483)
1285.120	n	(P-8571/88; A-483)
1285.130	n	(P-8571/88; A-483)
1285.140	n	(P-8571/88; A-483)
1285.200	n	(P-1580/88; A-10925)
1285.205	n	(P-1580/88; A-10925)
1285.210	n	(P-1580/88; A-10925)
1285.215	n	(P-1580/88; A-10925)
1285.220	n	(P-1580/88; A-10925)
1285.225	n	(P-1580/88; A-10925)
1285.230	n	(P-1580/88; A-10925)
1285.235	n	(P-1580/88; A-10925)
1285.240	n	(P-1580/88; A-10925)
1285.245	n	(P-1580/88; A-10925)
1285.250	n	(P-1580/88; A-10925)
1285.255	n	(P-1580/88; A-10925)

TITLE 68 (CONT'D)		
1285.260	n	(P-15880/88; A-1092.5)
1285.265	n	(P-15880/88; A-1092.5)
1285.270	n	(P-15880/88; A-1092.5)
1285.275	n	(P-15880/88; A-1092.5)
1285.310	n	(P-15880/88; A-1092.5)
1285.320	n	(P-15880/88; A-1092.5)
1285.330	n	(P-15880/88; A-1092.5)
1290.10	r	(P-15854/88; A-1092.3)
1290.20	r	(P-15854/88; A-1092.3)
1290.30	r	(P-15854/88; A-1092.3)
1290.35	r	(P-15854/88; A-1092.3)
1290.40	r	(P-15854/88; A-1092.3)
1290.50	r	(P-15854/88; A-1092.3)
1290.55	r	(P-15854/88; A-1092.3)
1290.60	r	(P-15854/88; A-1092.3)
1290.70	r	(P-15854/88; A-1092.3)
1290.80	r	(P-15854/88; A-1092.3)
1290.90	r	(P-15854/88; A-1092.3)
1290.100	r	(P-15854/88; A-1092.3)
1290.110	r	(P-15854/88; A-1092.3)
1290.120	r	(P-15854/88; A-1092.3)
1290.130	r	(P-15854/88; A-1092.3)
1290.135	r	(P-15854/88; A-1092.3)
1290.140	r	(P-15854/88; A-1092.3)
1290.150	r	(P-15854/88; A-1092.3)
1290.160	r	(P-15854/88; A-1092.3)
1290.170	r	(P-15854/88; A-1092.3)
1290.180	r	(P-15854/88; A-1092.3)
1290.190	r	(P-15854/88; A-1092.3)
1300.10	n	(P-14236)
1300.20	am	(P-14236)
1300.25	am	(P-14236)
1300.30	am	(P-14236)
1300.40	am	(P-14236)
1300.41	am	(P-14236)
1300.42	am	(P-14236)
1300.45	am	(P-14236)
1300.48	am	(P-14236)
1300.60	n	(P-14236)
1300.70	n	(P-14236)
1310.20	am	(P-14938/88; Q-1412.3)
1310.30	am	(P-14938/88; Q-1412.3)
1310.60	am	(P-14938/88; Q-1412.3)
1310.85	am	(P-14938/88; Q-1412.3)
1320.20	am	(P-8606/88; A-6994)
1320.30	am	(P-8606/88; A-6994)
1320.40	am	(P-8606/88; A-6994)
1320.50	am	(P-8606/88; A-6994)
1320.55	am	(P-8606/88; A-6994)
1320.60	am	(P-8606/88; A-6994)
1320.70	am	(P-8606/88; A-6994)
1320.80	am	(P-8606/88; A-6994)
1320.90	am	(P-8606/88; A-6994)
1320.95	n	(P-8606/88; A-6994)
1320.100	am	(P-8606/88; A-6994)
1320.110	am	(P-8606/88; A-6994)

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TITLE 77 (CONT'D)		
200,933	r	(P-17673/88; A-4681)
200,941	r	(P-17673/88; A-4681)
200,1002	r	(P-17673/88; A-4681)
200,1003	r	(P-17673/88; A-4681)
200,1004	r	(P-17673/88; A-4681)
200,1005	r	(P-17673/88; A-4681)
200,1006	r	(P-17673/88; A-4681)
200,1007	r	(P-17673/88; A-4681)
200,1008	r	(P-17673/88; A-4681)
240,20	am	(P-10028)
245,20	am	(P-10007)
245,30	am	(P-10007)
245,50	am	(P-10007)
250,150	am	(P-7875)
250,310	am	(P-19892/88; A-13232)
250,315	n	(P-7875)
250,330	am	(P-7875)
250,1830	am	(P-19892/88; A-13232)
250,1850	am	(P-19892/88; A-13232)
250,1860	am	(P-19892/88; A-13232)
250,2140	am	(P-7875)
300,110	am	(P-21333/88; A-4684)
300,120	am	(P-21333/88; A-4684)
300,130	am	(P-21333/88; A-4684)
300,140	am	(P-21333/88; A-4684)
300,150	am	(P-21333/88; A-4684)
300,160	am	(P-21333/88; A-4684)
300,165	am	(P-21333/88; A-4684)
300,170	am	(P-21333/88; A-4684)
300,175	am	(P-21333/88; A-4684)
300,180	am	(P-21333/88; A-4684)
300,190	am	(P-21333/88; A-4684)
300,200	am	(P-21333/88; A-4684)
300,210	am	(P-21333/88; A-4684)
300,220	am	(P-21333/88; A-4684)
300,230	am	(P-21333/88; A-4684)
300,240	am	(P-21333/88; A-4684)
300,250	am	(P-21333/88; A-4684)
300,260	am	(P-21333/88; A-4684)
300,270	am	(P-21333/88; A-4684)
300,272	am	(P-21333/88; A-4684)
300,274	am	(P-21333/88; A-4684)
300,276	am	(P-21333/88; A-4684)
300,277	n	(P-21333/88; A-4684)
300,278	am	(P-21333/88; A-4684)
300,280	am	(P-21333/88; A-4684)
300,282	am	(P-21333/88; A-4684)
300,284	am	(P-21333/88; A-4684)
300,286	am	(P-21333/88; A-4684)
300,288	am	(P-21333/88; A-4684)
300,290	am	(P-21333/88; A-4684)
300,292	am	(P-21333/88; A-4684)
300,300	am	(P-21333/88; A-4684)
300,310	am	(P-21333/88; A-4684)
300,320	am	(P-21333/88; A-4684)
300,330	am	(P-21333/88; A-4684)
300,340	am	(P-21333/88; A-4684)

TITLE 77 (CONT'D)		
300.510	ant	(P-21333/88; A-4684)
300.510	ant	(P-21333/88; A-4684)
300.620	ant	(P-21333/88; A-4684)
		(P-13581/88; A-51341)
300.630	ant	(P-21333/88; A-4684)
300.640	ant	(P-21333/88; A-4684)
300.650	ant	(P-21333/88; A-4684)
300.655	ant	(P-21333/88; A-4684)
300.660	r	(P-8347)
300.660	n	(P-8347)
300.665	n	(P-8347)
300.670	ant	(P-21333/88; A-4684)
300.680	ant	(P-21333/88; A-4684)
300.690	ant	(P-21333/88; A-4684)
300.810	ant	(P-21333/88; A-4684)
300.820	ant	(P-21333/88; A-4684)
300.830	ant	(P-21333/88; A-4684)
300.840	ant	(P-21333/88; A-4684)
300.1010	ant	(P-21333/88; A-4684)
300.1020	ant	(P-13581/88; A-51341)
300.1025	n	(P-21333/88; A-4684)
300.1030	ant	(P-13581/88; A-51341)
300.1040	ant	(P-21333/88; A-4684)
300.1050	ant	(P-21333/88; A-4684)
300.1210	ant	(P-21333/88; A-4684)
300.1220	ant	(P-21333/88; A-4684)
300.1230	ant	(P-21333/88; A-4684)
300.1240	ant	(P-21333/88; A-4684)
300.1410	ant	(P-21333/88; A-4684)
300.1420	ant	(P-21333/88; A-4684)
300.1430	ant	(P-21333/88; A-4684)
300.1610	ant	(P-21333/88; A-4684)
300.1620	ant	(P-21333/88; A-4684)
300.1630	ant	(P-21333/88; A-4684)
300.1640	ant	(P-21333/88; A-4684)
300.1650	ant	(P-21333/88; A-4684)
300.1810	ant	(P-21333/88; A-4684)
300.1820	ant	(P-21333/88; A-4684)
300.1830	ant	(P-21333/88; A-4684)
300.1840	ant	(P-21333/88; A-4684)
300.1850	ant	(P-21333/88; A-4684)
300.1860	ant	(P-21333/88; A-4684)
300.1870	ant	(P-21333/88; A-4684)
300.1880	ant	(P-21333/88; A-4684)
300.2010	ant	(P-21333/88; A-4684)
300.2020	ant	(P-21333/88; A-4684)
300.2030	ant	(P-21333/88; A-4684)
300.2040	ant	(P-21333/88; A-4684)
300.2050	ant	(P-21333/88; A-4684)
300.2060	ant	(P-21333/88; A-4684)
300.2070	ant	(P-21333/88; A-4684)
300.2080	ant	(P-21333/88; A-4684)
300.2090	ant	(P-21333/88; A-4684)
300.2100	ant	(P-21333/88; A-4684)
300.2110	ant	(P-21333/88; A-4684)
300.2210	ant	(P-21333/88; A-4684)

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TITLE 77 (CONT'D)	
330.165	(P-21893/88; A-5562) am
330.166	(P-21893/88; A-5562) am
330.170	(P-21893/88; A-5562) am
330.175	(P-21893/88; A-5562) am
330.180	(P-21893/88; A-5562) am
330.190	(P-21893/88; A-5562) am
330.200	(P-21893/88; A-5562) am
330.210	(P-21893/88; A-5562) am
330.220	(P-21893/88; A-5562) am
330.230	(P-21893/88; A-5562) am
330.240	(P-21893/88; A-5562) am
330.250	(P-21893/88; A-5562) am
330.260	(P-21893/88; A-5562) am
330.270	(P-21893/88; A-5562) am
330.272	(P-21893/88; A-5562) am
330.274	(P-21893/88; A-5562) am
330.276	(P-21893/88; A-5562) am
330.277	(P-21893/88; A-5562) n
330.278	(P-21893/88; A-5562) am
330.280	(P-21893/88; A-5562) am
330.282	(P-21893/88; A-5562) am
330.284	(P-21893/88; A-5562) am
330.286	(P-21893/88; A-5562) am
330.288	(P-21893/88; A-5562) am
330.290	(P-21893/88; A-5562) am
330.300	(P-21893/88; A-5562) am
330.310	(P-21893/88; A-5562) am
330.320	(P-21893/88; A-5562) am
330.330	(P-21893/88; A-5562) am
330.340	(P-21893/88; A-5562) am
330.510	(P-21893/88; A-5562) am
330.510	(P-21893/88; A-5562) am
330.720	(P-21893/88; A-5562) am
330.730	(P-21893/88; A-5562) am
330.740	(P-21893/88; A-5562) am
330.750	(P-21893/88; A-5562) am
330.760	(P-21893/88; A-5562) am
330.765	(P-21893/88; A-5562) n
330.770	(P-21893/88; A-5562) am
330.780	(P-21893/88; A-5562) am
330.910	(P-21893/88; A-5562) am
330.913	(P-8336) n
330.916	(P-8336) n
330.920	(P-21893/88; A-5562) am
330.930	(P-21893/88; A-5562) am
330.1110	(P-21893/88; A-5562) am
330.1120	(P-21893/88; A-5562) am
330.1130	(P-21893/88; A-5562) am
330.1135	(P-21893/88; A-5562) n
330.1140	(P-21893/88; A-5562) am
330.1310	(P-21893/88; A-5562) am
330.1320	(P-21893/88; A-5562) am
330.1330	(P-21893/88; A-5562) am
330.1510	(P-21893/88; A-5562) am
330.1520	(P-21893/88; A-5562) am
330.1530	(P-21893/88; A-5562) am

TITLE 77 (CONT'D)			TITLE 77 (CONT'D)			TITLE 77 (CONT'D)			TITLE 77 (CONT'D)		
350.2990	am	(P-21621/88; A-6040)	380.120	n	(P-987; W-8123)	380.670	n	(P-987; W-8123)	390.320	am	(P-21064/88; A-6301)
350.3000	am	(P-21621/88; A-6040)	380.130	n	(P-987; W-8123)	380.680	n	(P-987; W-8123)	390.330	am	(P-21064/88; A-6301)
350.3010	am	(P-21621/88; A-6040)	380.140	n	(P-987; W-8123)	380.690	n	(P-987; W-8123)	390.340	am	(P-21064/88; A-6301)
350.3020	am	(P-21621/88; A-6040)	380.150	n	(P-987; W-8123)	380.700	n	(P-987; W-8123)	390.350	am	(P-21064/88; A-6301)
350.3030	am	(P-21621/88; A-6040)	380.160	n	(P-987; W-8123)	380.710	n	(P-987; W-8123)	390.360	am	(P-21064/88; A-6301)
350.3040	am	(P-21621/88; A-6040)	380.170	n	(P-987; W-8123)	380.720	n	(P-987; W-8123)	390.370	am	(P-21064/88; A-6301)
350.3210	am	(P-21621/88; A-6040)	380.180	n	(P-987; W-8123)	380.730	n	(P-987; W-8123)	390.380	am	(P-21064/88; A-6301)
350.3220	am	(P-21621/88; A-6040)	380.190	n	(P-987; W-8123)	380.740	n	(P-987; W-8123)	390.390	am	(P-21064/88; A-6301)
350.3230	am	(P-21621/88; A-6040)	380.200	n	(P-987; W-8123)	380.750	n	(P-987; W-8123)	390.400	am	(P-21064/88; A-6301)
350.3240	am	(P-21621/88; A-6040)	380.210	n	(P-987; W-8123)	380.760	n	(P-987; W-8123)	390.410	am	(P-21064/88; A-6301)
350.3250	am	(P-21621/88; A-6040)	380.220	n	(P-987; W-8123)	380.770	n	(P-987; W-8123)	390.420	am	(P-21064/88; A-6301)
350.3260	am	(P-21621/88; A-6040)	380.230	n	(P-987; W-8123)	380.780	n	(P-987; W-8123)	390.430	am	(P-21064/88; A-6301)
350.3270	am	(P-21621/88; A-6040)	380.240	n	(P-987; W-8123)	380.790	n	(P-987; W-8123)	390.440	am	(P-21064/88; A-6301)
350.3280	am	(P-21621/88; A-6040)	380.250	n	(P-987; W-8123)	380.800	n	(P-987; W-8123)	390.450	am	(P-21064/88; A-6301)
350.3290	am	(P-21621/88; A-6040)	380.260	n	(P-987; W-8123)	380.810	n	(P-987; W-8123)	390.460	am	(P-21064/88; A-6301)
350.3300	am	(P-21621/88; A-6040)	380.270	n	(P-987; W-8123)	380.820	n	(P-987; W-8123)	390.470	am	(P-21064/88; A-6301)
350.3310	am	(P-21621/88; A-6040)	380.280	n	(P-987; W-8123)	380.830	n	(P-987; W-8123)	390.480	am	(P-21064/88; A-6301)
350.3320	am	(P-21621/88; A-6040)	380.290	n	(P-987; W-8123)	380.840	n	(P-987; W-8123)	390.490	am	(P-21064/88; A-6301)
350.3330	am	(P-21621/88; A-6040)	380.300	n	(P-987; W-8123)	380.850	n	(P-987; W-8123)	390.500	am	(P-21064/88; A-6301)
350.3340	am	(P-21621/88; A-6040)	380.310	n	(P-987; W-8123)	380.860	n	(P-987; W-8123)	390.510	am	(P-21064/88; A-6301)
350.3370	am	(P-21621/88; A-6040)	380.320	n	(P-987; W-8123)	380.870	n	(P-987; W-8123)	390.520	am	(P-21064/88; A-6301)
350.3380	am	(P-21621/88; A-6040)	380.330	n	(P-987; W-8123)	380.880	n	(P-987; W-8123)	390.530	am	(P-21064/88; A-6301)
350.3390	am	(P-21621/88; A-6040)	380.340	n	(P-987; W-8123)	380.890	n	(P-987; W-8123)	390.540	am	(P-21064/88; A-6301)
350.3400	am	(P-21621/88; A-6040)	380.350	n	(P-987; W-8123)	380.900	n	(P-987; W-8123)	390.550	am	(P-21064/88; A-6301)
350.3430	am	(P-21621/88; A-6040)	380.360	n	(P-987; W-8123)	380.910	n	(P-987; W-8123)	390.560	am	(P-21064/88; A-6301)
350.3440	am	(P-21621/88; A-6040)	380.370	n	(P-987; W-8123)	380.920	n	(P-987; W-8123)	390.570	am	(P-21064/88; A-6301)
350.3470	am	(P-21621/88; A-6040)	380.380	n	(P-987; W-8123)	380.930	n	(P-987; W-8123)	390.580	am	(P-21064/88; A-6301)
350.3480	am	(P-21621/88; A-6040)	380.390	n	(P-987; W-8123)	380.940	n	(P-987; W-8123)	390.590	am	(P-21064/88; A-6301)
350.3490	am	(P-21621/88; A-6040)	380.400	n	(P-987; W-8123)	380.950	n	(P-987; W-8123)	390.600	am	(P-21064/88; A-6301)
350.3500	am	(P-21621/88; A-6040)	380.410	n	(P-987; W-8123)	380.960	n	(P-987; W-8123)	390.610	am	(P-21064/88; A-6301)
350.3510	am	(P-21621/88; A-6040)	380.420	n	(P-987; W-8123)	380.970	n	(P-987; W-8123)	390.620	am	(P-21064/88; A-6301)
350.3520	am	(P-21621/88; A-6040)	380.430	n	(P-987; W-8123)	380.980	n	(P-987; W-8123)	390.630	am	(P-21064/88; A-6301)
350.3530	am	(P-21621/88; A-6040)	380.440	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.640	am	(P-21064/88; A-6301)
350.3540	am	(P-21621/88; A-6040)	380.450	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.650	am	(P-21064/88; A-6301)
350.3550	am	(P-21621/88; A-6040)	380.460	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.660	am	(P-21064/88; A-6301)
350.3560	am	(P-21621/88; A-6040)	380.470	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.670	am	(P-21064/88; A-6301)
350.3570	am	(P-21621/88; A-6040)	380.480	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.680	am	(P-21064/88; A-6301)
350.3580	am	(P-21621/88; A-6040)	380.490	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.690	am	(P-21064/88; A-6301)
350.3590	am	(P-21621/88; A-6040)	380.495	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.700	am	(P-21064/88; A-6301)
350.3600	am	(P-21621/88; A-6040)	380.500	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.710	am	(P-21064/88; A-6301)
350.3610	am	(P-21621/88; A-6040)	380.510	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.720	am	(P-21064/88; A-6301)
350.3620	am	(P-21621/88; A-6040)	380.520	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.730	am	(P-21064/88; A-6301)
350.3630	am	(P-21621/88; A-6040)	380.530	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.740	am	(P-21064/88; A-6301)
350.3640	am	(P-21621/88; A-6040)	380.540	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.750	am	(P-21064/88; A-6301)
350.3650	am	(P-21621/88; A-6040)	380.550	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.760	am	(P-21064/88; A-6301)
350.3660	am	(P-21621/88; A-6040)	380.560	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.770	am	(P-21064/88; A-6301)
350.3670	am	(P-21621/88; A-6040)	380.570	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.780	am	(P-21064/88; A-6301)
350.3680	am	(P-21621/88; A-6040)	380.580	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.790	am	(P-21064/88; A-6301)
350.3690	am	(P-21621/88; A-6040)	380.590	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.800	am	(P-21064/88; A-6301)
350.3700	am	(P-21621/88; A-6040)	380.600	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.810	am	(P-21064/88; A-6301)
350.3710	am	(P-21621/88; A-6040)	380.610	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.820	am	(P-21064/88; A-6301)
350.3720	am	(P-21621/88; A-6040)	380.620	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.830	am	(P-21064/88; A-6301)
350.3730	am	(P-21621/88; A-6040)	380.630	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.840	am	(P-21064/88; A-6301)
350.3740	am	(P-21621/88; A-6040)	380.640	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.850	am	(P-21064/88; A-6301)
350.3750	am	(P-21621/88; A-6040)	380.650	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.860	am	(P-21064/88; A-6301)
350.3760	am	(P-21621/88; A-6040)	380.660	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.870	am	(P-21064/88; A-6301)
350.3770	am	(P-21621/88; A-6040)	380.670	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.880	am	(P-21064/88; A-6301)
350.3780	am	(P-21621/88; A-6040)	380.680	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.890	am	(P-21064/88; A-6301)
350.3790	am	(P-21621/88; A-6040)	380.690	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.900	am	(P-21064/88; A-6301)
350.3800	am	(P-21621/88; A-6040)	380.700	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.910	am	(P-21064/88; A-6301)
350.3810	am	(P-21621/88; A-6040)	380.710	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.920	am	(P-21064/88; A-6301)
350.3820	am	(P-21621/88; A-6040)	380.720	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.930	am	(P-21064/88; A-6301)
350.3830	am	(P-21621/88; A-6040)	380.730	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.940	am	(P-21064/88; A-6301)
350.3840	am	(P-21621/88; A-6040)	380.740	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.950	am	(P-21064/88; A-6301)
350.3850	am	(P-21621/88; A-6040)	380.750	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.960	am	(P-21064/88; A-6301)
350.3860	am	(P-21621/88; A-6040)	380.760	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.970	am	(P-21064/88; A-6301)
350.3870	am	(P-21621/88; A-6040)	380.770	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.980	am	(P-21064/88; A-6301)
350.3880	am	(P-21621/88; A-6040)	380.780	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.990	am	(P-21064/88; A-6301)
350.3890	am	(P-21621/88; A-6040)	380.790	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.990	am	(P-21064/88; A-6301)
350.3900	am	(P-21621/88; A-6040)	380.800	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.990	am	(P-21064/88; A-6301)
350.3910	am	(P-21621/88; A-6040)	380.810	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.990	am	(P-21064/88; A-6301)
350.3920	am	(P-21621/88; A-6040)	380.820	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.990	am	(P-21064/88; A-6301)
350.3930	am	(P-21621/88; A-6040)	380.830	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.990	am	(P-21064/88; A-6301)
350.3940	am	(P-21621/88; A-6040)	380.840	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.990	am	(P-21064/88; A-6301)
350.3950	am	(P-21621/88; A-6040)	380.850	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.990	am	(P-21064/88; A-6301)
350.3960	am	(P-21621/88; A-6040)	380.860	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.990	am	(P-21064/88; A-6301)
350.3970	am	(P-21621/88; A-6040)	380.870	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.990	am	(P-21064/88; A-6301)
350.3980	am	(P-21621/88; A-6040)	380.880	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.990	am	(P-21064/88; A-6301)
350.3990	am	(P-21621/88; A-6040)	380.890	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.990	am	(P-21064/88; A-6301)
350.4000	am	(P-21621/88; A-6040)	380.900	n	(P-987; W-8123)	380.990	n	(P-987; W-8123)	390.990	am	(P-21064/88; A-6301)
350.4010	am	(P-21621/88; A-6040)	380.910								

TITLE 77 (CONT'D)		TITLE 77 (CONT'D)		TITLE 77 (CONT'D)	
390.1870 am	(P-21064/88; A-6301)	390.3330 am	(P-21064/88; A-6301)	450.1155 am	(P-2249; A-11573)
390.1880 am	(P-21064/88; A-6301)	390.3510 am	(P-21064/88; A-6301)	535.420 am	(P-4126)
390.1890 am	(P-21064/88; A-6301)	390.3900 am	(P-21064/88; A-6301)	535.430 am	(P-4126)
390.1900 am	(P-21064/88; A-6301)	450.5 n	(P-2249; A-11573)	535.800 n	(P-4126)
390.1910 am	(P-21064/88; A-6301)	450.10 am	(P-2249; A-11573)	535.810 n	(P-4126)
390.1920 am	(P-21064/88; A-6301)	450.20 am	(P-2249; A-11573)	535.820 n	(P-4126)
390.2010 am	(P-21064/88; A-6301)	450.30 am	(P-2249; A-11573)	535.830 n	(P-4126)
390.2020 am	(P-21064/88; A-6301)	450.35 am	(P-2249; A-11573)	535.840 n	(P-4126)
390.2030 am	(P-21064/88; A-6301)	450.40 n	(P-2249; A-11573)	535.850 n	(P-4126)
390.2210 am	(P-21064/88; A-6301)	450.50 n	(P-2249; A-11573)	535.860 n	(P-4126)
390.2220 am	(P-21064/88; A-6301)	450.60 n	(P-2249; A-11573)	535.870 n	(P-4126)
390.2230 am	(P-21064/88; A-6301)	450.210 am	(P-2249; A-11573)	535.900 n	(P-4500)
390.2410 am	(P-21064/88; A-6301)	450.220 am	(P-2249; A-11573)	535.910 n	(P-4500)
390.2420 am	(P-21064/88; A-6301)	450.230 am	(P-2249; A-11573)	535.920 n	(P-4500)
390.2430 am	(P-21064/88; A-6301)	450.310 am	(P-2249; A-11573)	535.930 n	(P-4500)
390.2440 am	(P-21064/88; A-6301)	450.320 am	(P-2249; A-11573)	535.931 n	(P-4500)
390.2610 am	(P-21064/88; A-6301)	450.330 am	(P-2249; A-11573)	535.932 n	(P-4500)
390.2620 am	(P-21064/88; A-6301)	450.400 am	(P-2249; A-11573)	535.933 n	(P-4500)
390.2630 am	(P-21064/88; A-6301)	450.410 am	(P-2249; A-11573)	535.934 n	(P-4500)
390.2640 am	(P-21064/88; A-6301)	450.420 am	(P-2249; A-11573)	535.935 n	(P-4500)
390.2650 am	(P-21064/88; A-6301)	450.430 am	(P-2249; A-11573)	535.936 n	(P-4500)
390.2660 am	(P-21064/88; A-6301)	450.440 am	(P-2249; A-11573)	535.940 n	(P-4500)
390.2670 am	(P-21064/88; A-6301)	450.450 am	(P-2249; A-11573)	535.941 n	(P-4500)
390.2680 am	(P-21064/88; A-6301)	450.460 am	(P-2249; A-11573)	535.942 n	(P-4500)
390.2690 am	(P-21064/88; A-6301)	450.470 am	(P-2249; A-11573)	535.943 n	(P-4500)
390.2700 am	(P-21064/88; A-6301)	450.480 am	(P-2249; A-11573)	535.950 n	(P-4500)
390.2710 am	(P-21064/88; A-6301)	450.490 am	(P-2249; A-11573)	535.951 n	(P-4500)
390.2720 am	(P-21064/88; A-6301)	450.500 am	(P-2249; A-11573)	535.952 n	(P-4500)
390.2730 am	(P-21064/88; A-6301)	450.510 am	(P-2249; A-11573)	535.953 n	(P-4500)
390.2740 am	(P-21064/88; A-6301)	450.520 am	(P-2249; A-11573)	540.10 am	(P-4616)
390.2910 am	(P-21064/88; A-6301)	450.530 am	(P-2249; A-11573)	540.30 am	(P-4616)
390.2920 am	(P-21064/88; A-6301)	450.540 am	(P-2249; A-11573)	540.40 am	(P-4616)
390.2930 am	(P-21064/88; A-6301)	450.550 am	(P-2249; A-11573)	540.50 am	(P-4616)
390.2940 am	(P-21064/88; A-6301)	450.560 am	(P-2249; A-11573)	540.70 am	(P-4616)
390.2950 am	(P-21064/88; A-6301)	450.570 am	(P-2249; A-11573)	540.80 am	(P-4616)
390.2960 am	(P-21064/88; A-6301)	450.580 am	(P-2249; A-11573)	540.90 am	(P-4616)
390.2970 am	(P-21064/88; A-6301)	450.590 am	(P-2249; A-11573)	540.160 am	(P-4616)
390.2980 am	(P-21064/88; A-6301)	450.600 am	(P-2249; A-11573)	540.190 am	(P-4616)
390.2990 am	(P-21064/88; A-6301)	450.610 am	(P-2249; A-11573)	542.10 n	(P-4544/88; A-3086)
390.3000 am	(P-21064/88; A-6301)	450.620 am	(P-2249; A-11573)	542.20 n	(P-4544/88; A-3086)
390.3010 am	(P-21064/88; A-6301)	450.630 am	(P-2249; A-11573)	542.30 n	(P-4544/88; A-3086)
390.3020 am	(P-21064/88; A-6301)	450.640 am	(P-2249; A-11573)	542.40 n	(P-4544/88; A-3086)
390.3030 am	(P-21064/88; A-6301)	450.650 am	(P-2249; A-11573)	542.50 n	(P-4544/88; A-3086)
390.3040 am	(P-21064/88; A-6301)	450.660 am	(P-2249; A-11573)	542.60 n	(P-4544/88; A-3086)
390.3210 am	(P-21064/88; A-6301)	450.670 am	(P-2249; A-11573)	542.70 n	(P-4544/88; A-3086)
390.3220 am	(P-21064/88; A-6301)	450.680 am	(P-2249; A-11573)	542.80 n	(P-4544/88; A-3086)
390.3230 am	(P-21064/88; A-6301)	450.690 am	(P-2249; A-11573)	542.90 n	(P-4544/88; A-3086)
390.3240 am	(P-21064/88; A-6301)	450.700 am	(P-2249; A-11573)	542.100 n	(P-4544/88; A-3086)
390.3250 am	(P-21064/88; A-6301)	450.710 am	(P-2249; A-11573)	600.110 am	(P-10035)
390.3260 am	(P-21064/88; A-6301)	450.720 am	(P-2249; A-11573)	600.120 am	(P-10035)
390.3270 am	(P-21064/88; A-6301)	450.730 am	(P-2249; A-11573)	600.230 am	(P-10035)
390.3280 am	(P-21064/88; A-6301)	450.740 am	(P-2249; A-11573)	600.250 am	(P-10035)
390.3290 am	(P-21064/88; A-6301)	450.750 am	(P-2249; A-11573)	600.510 am	(P-10035)
390.3300 am	(P-21064/88; A-6301)	450.760 am	(P-2249; A-11573)	600.900 am	(P-10035)
390.3310 am	(P-21064/88; A-6301)	450.770 am	(P-2249; A-11573)	600.910 r	(P-10035)
390.3320 am	(P-21064/88; A-6301)	450.780 am	(P-2249; A-11573)	600.920 r	(P-10035)
390.3330 am	(P-21064/88; A-6301)	450.790 am	(P-2249; A-11573)	600.930 r	(P-10035)

[illegible]

TITLE 77 (CONT'D)

760.20	am	(P-1415/88; A-1830)
760.30	n	(P-6964)
760.150	am	(P-1415/88; A-1830)
760.4p. A	n	(P-6964)
790.20	am	(P-2041/88; A-8890)
790.40	am	(P-2041/88; A-8890)
790.320	n	(P-2041/88; A-8890)
790.420	am	(P-3015; A-11717) (E-3108)
790.460	am	(P-12991/88; P-16425/88; A-856)
	am	(P-3015; A-11717) (E-3108)
	am	(P-12942) (E-12990)
790.480	am	(P-12942) (E-12990)
790.500	am	(P-12991/88; P-16425/88; A-856)
	am	(P-3015; A-11717) (E-3108)
	am	(P-12942) (E-12990)
790.540	am	(P-12991/88; P-16425/88; A-856)
	am	(P-3015; A-11717) (E-3108)
	am	(P-12942) (E-12990)
790.548	am	(P-12942) (E-12990)
790.580	am	(P-16425/88; A-856) (P-12942)
	am	(E-12990)
790.600	am	(P-16425/88; A-856)
790.620	am	(P-3015; A-11717) (E-3108)
790.630	am	(P-12991/88; A-856)
790.721	n	(P-12942) (E-12990)
790.799	am	(P-12991/88; A-856)
790.799	am	(P-16425/88; A-856)
790.860	am	(P-16425/88; A-856)
	am	(P-3015; A-11717) (E-3108)
790.900	am	(P-16425/88; A-856)
	am	(P-3015; A-11717) (E-3108)
790.905	am	(P-16425/88; A-856) (P-12942)
	am	(E-12990)
790.910	am	(P-12991/88; A-856) (P-12942)
	am	(E-12990)
790.940	am	(P-12991/88; A-856) (P-12942)
	am	(E-12990)
790.974	am	(P-16425/88; A-856)
790.980	am	(P-3015; A-11717) (E-3108)
	am	(P-12942) (E-12990)
790.1060	am	(P-12991/88; A-856) (P-12942)
	am	(E-12990)
790.1100	r	(P-16425/88; A-856)
790.1125	n	(P-16425/88; A-856)
790.1125	am	(P-3015; A-11717) (E-3108)
790.1127	am	(P-3015; A-11717) (E-3108)
790.1127	am	(P-16425/88; A-856)
790.1129	n	(P-16425/88; A-856)
790.1129	am	(P-3015; A-11717) (E-3108)
790.1131	n	(P-16425/88; A-856)
790.1131	am	(P-3015; A-11717) (E-3108)
790.1200	am	(P-3015; A-11717) (E-3108)
790.1300	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
	am	(P-12942) (E-12990)
790.1345	am	(P-16425/88; A-856)
790.1360	am	(P-12942) (E-12990)

TITLE 77 (CONT'D)

790.2617	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.2618	am	(P-12991/88; P-16425/88; A-856)
	am	(P-3015; A-11717) (E-3108)
790.2660	am	(P-12942) (E-12990)
790.2663	am	(P-3015; A-11717) (E-3108)
	am	(P-12942) (E-12990)
790.2668	am	(P-3015; A-11717) (E-3108)
	am	(P-12942) (E-12990)
790.2672	am	(P-3015; A-11717) (E-3108)
790.2700	am	(P-3015; A-11717; C-12909)
	am	(E-3108)
790.2780	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942)
	am	(E-12990)
790.2800	n	(P-3015; A-11717) (E-3108)
	n	(P-12942) (E-12990)
790.2805	n	(P-16425/88; A-856)
790.2860	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.2900	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.2904	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.2928	r	(P-16425/88; A-856)
790.2928	n	(P-12991/88; A-856)
790.2932	am	(P-16425/88; A-856)
790.2940	am	(P-3015; A-11717) (E-3108)
790.3020	am	(P-16425/88; A-856)
790.3023	am	(P-3015; A-11717) (E-3108)
790.3025	#	(P-12942) (E-12990; CC-14477)
790.3027	n	(P-16425/88; A-856) (P-12942)
	n	(E-12990; CC-14477)
790.3027	#	(P-12942) (E-12990; CC-14477)
790.3028	am	(P-3015; A-11717) (E-3108)
	am	(P-12942) (E-12990)
790.3032	am	(P-12942) (E-12990)
790.3048	am	(P-12942) (E-12990)
790.3054	am	(P-3015; A-11717) (E-3108)
	am	(P-12942) (E-12990)
790.3060	am	(P-12942) (E-12990)
790.3085	am	(P-16425/88; A-856) (P-12942)
	am	(E-12990)
790.3100	am	(P-16425/88; A-856)
790.3220	am	(P-12942) (E-12990)
790.3260	am	(P-12942) (E-12990)
790.3300	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.3315	am	(P-3015; A-11717) (E-3108)
790.3335	am	(P-16425/88; A-856)
790.3340	am	(P-3015; A-11717) (E-3108)
	am	(P-12942) (E-12990)
790.3420	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108) (P-12942)
	am	(E-12990)
790.3425	am	(P-16425/88; A-856)

TITLE 77 (CONT'D)

790.3437	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)
790.3440	n	(P-16425/88; A-856)
790.3475	n	(P-16425/88; A-856)
790.3492	am	(P-3015; A-11717) (E-3108)
790.3500	am	(P-16425/88; A-856)
790.3540	am	(P-16425/88; A-856)
790.3620	am	(P-12991/88; P-16425/88; A-856)
	am	(P-3015; A-11717) (E-3108)
	am	(P-12942) (E-12990)
790.3700	am	(P-3015; A-11717) (E-3108)
	am	(P-12942) (E-12990)
790.3720	n	(P-16425/88; A-856)
790.3730	am	(P-12942) (E-12990)
790.3740	am	(P-12942) (E-12990)
790.3900	am	(P-16425/88; A-856)
790.3907	am	(P-12991/88; A-856) (P-12942)
	am	(E-12990)
790.3910	n	(P-12991/88; P-16425/88; A-856)
790.3910	am	(P-3015; A-11717) (E-3108)
790.3940	am	(P-3015; A-11717) (E-3108)
790.3945	am	(P-16425/88; A-856) (P-12942)
	am	(E-12990)
790.4012	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.4040	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942)
	am	(E-12990)
790.4060	am	(P-16425/88; A-856)
790.4100	am	(P-12991/88; P-16425/88; A-856)
	am	(P-3015; A-11717) (E-3108)
	am	(P-12942) (E-12990)
790.4140	am	(P-12942) (E-12990)
790.4220	am	(P-16425/88; A-856)
790.4260	am	(P-12942) (E-12990)
790.4300	am	(P-3015; A-11717) (E-3108)
790.4340	am	(P-12942) (E-12990)
790.4380	am	(P-12942) (E-12990)
790.4396	am	(P-12991/88; P-16425/88; A-856)
790.4398	am	(P-12991/88; P-16425/88; A-856)
	am	(P-3015; A-11717) (E-3108)
	am	(P-12942) (E-12990)
790.4420	am	(P-12942) (E-12990)
790.4430	am	(P-16425/88; A-856)
790.4460	am	(P-16425/88; A-856)
790.4540	am	(P-3015; A-11717) (E-3108)
790.4580	am	(P-16425/88; A-856)
790.4620	am	(P-16425/88; A-856)
790.4660	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942)
	am	(E-12990)
790.4670	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108) (P-12942)
	am	(E-12990)
790.4680	am	(P-12991/88; A-856) (P-12942)
	am	(E-12990)

ILLINOIS REGISTER

VOL. 13, THRU ISSUE #37

SECTIONS AFFECTED INDEX

THRU SEPTEMBER 15, 1989

ILLINOIS REGISTER

VOL. 13, THRU ISSUE #37

SECTIONS AFFECTED INDEX

THRU SEPTEMBER 15, 1989

TITLE 77 (CONT'D)

790.4720	am	(P-12991/88; P-16425/88; A-856)
		(P-12942) (E-12990)
790.4740	am	(P-12991/88; P-16425/88; A-856)
		(P-12942) (E-12990)
790.4820	am	(P-16425/88; A-856)
790.4900	am	(P-12942) (E-12990)
790.4960	n	(P-16425/88; A-856)
790.4963	n	(P-12942) (E-12990)
790.4965	n	(P-12942) (E-12990)
790.5020	am	(P-12942) (E-12990)
790.5060	am	(P-16425/88; A-856)
790.5140	am	(P-12991/88; P-16425/88; A-856)
		(P-12942) (E-12990)
790.5180	am	(P-16425/88; A-856)
790.5220	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)
790.5300	am	(P-16425/88; A-856) (P-12942) (E-12990)
790.5312	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108) (P-12942)
790.5320	n	(P-12942) (E-12990)
790.5380	am	(P-12942) (E-12990)
790.5420	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.5483	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.5520	n	(P-16425/88; A-856)
790.5530	am	(P-16425/88; A-856)
790.5540	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)
790.5544	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.5555	n	(P-12942) (E-12990)
790.5560	n	(P-16425/88; A-856)
790.5620	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.5640	n	(P-12991/88; A-856)
790.5660	am	(P-3015; A-11717) (E-3108)
790.5740	am	(P-12942) (E-12990)
790.5780	am	(P-3015; A-11717) (E-3108)
790.5792	am	(P-12991/88; P-16425/88; A-856) (P-12942) (E-12990)
790.5795	n	(P-16425/88; A-856)
790.5807	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.5820	am	(P-12991/88; P-16425/88; A-856)
790.5830	am	(P-12991/88; P-16425/88; A-856) (P-12942) (E-12990)
790.5835	am	(P-12942) (E-12990)

TITLE 77 (CONT'D)

790.5837	n	(P-12991/88; A-856)
790.5840	am	(P-16425/88; A-856)
790.5872	am	(P-16425/88; A-856)
790.5893	am	(P-12942) (E-12990)
790.5900	am	(P-16425/88; A-856) (P-12942) (E-12990)
790.5924	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)
790.5940	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.5980	am	(P-16425/88; A-856)
790.5992	am	(P-3015; A-11717) (E-3108)
790.6140	am	(P-12942) (E-12990)
790.6180	am	(P-16425/88; A-856)
790.6260	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.6275	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.6280	am	(P-16425/88; A-856)
790.6284	am	(P-16425/88; A-856) (P-12942) (E-12990)
790.6370	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108) (P-12942)
790.6375	n	(P-16425/88; A-856)
790.6435	am	(P-12942) (E-12990) (P-12942)
790.6445	am	(P-16425/88; A-856)
790.6450	am	(P-16425/88; A-856) (P-12942) (E-12990)
790.6452	am	(P-16425/88; A-856) (P-12942) (E-12990)
790.6454	n	(P-16425/88; A-856)
790.6454	am	(P-12942) (E-12990)
790.6456	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.6540	am	(P-16425/88; A-856)
790.6540	am	(P-16425/88; A-856)
790.6580	am	(P-16425/88; A-856)
790.6621	n	(P-16425/88; A-856)
790.6670	am	(P-16425/88; A-856)
790.6700	am	(P-12942) (E-12990)
790.6740	am	(P-16425/88; A-856)
790.6780	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.6800	am	(P-12942) (E-12990)
790.6860	am	(P-3015; A-11717) (E-3108)
790.6875	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)

TITLE 77 (CONT'D)

790.8380	am	(P-16425/88; A-856)
790.8420	am	(P-3015; A-11717) (E-3108)
790.8500	am	(P-12942) (E-12990)
790.8580	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.8700	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.8724	am	(P-3015; A-11717) (E-3108)
790.8740	am	(P-3015; A-11717) (E-3108)
790.8900	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)
790.8940	am	(P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.8980	am	(P-12942) (E-12990)
790.9020	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108)
790.9035	am	(P-12942) (E-12990)
790.9045	am	(P-12942) (E-12990)
790.9048	n	(P-12942) (E-12990)
790.9060	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.9084	am	(P-12991/88; A-856) (P-3015; A-11717) (E-3108) (P-12942) (E-12990)
790.9100	am	(P-3015; A-11717) (E-3108)
790.9140	am	(P-12942) (E-12990)
790.9180	am	(P-12942) (E-12990)
790.9220	am	(P-3015; A-11717) (E-3108)
790.9320	am	(P-12942) (E-12990)
790.9420	am	(P-12942) (E-12990)
790.9380	am	(P-3015; A-11717) (E-3108)
790.9475	am	(P-3015; A-11717) (E-3108)
790.9486	am	(P-12991/88; P-16425/88; A-856) (P-3015; A-11717) (E-3108)
790.9500	am	(P-12942) (E-12990)
790.9530	am	(P-12991/88; P-16425/88; A-856) (P-12942) (E-12990)
820.210	am	(P-1295)
830.10	am	(P-3325/88; A-2090)
830.20	n	(P-3325/88; A-2090)
830.100	am	(P-3325/88; A-2090)
830.110	am	(P-3325/88; A-2090)
830.120	am	(P-3325/88; A-2090)
830.130	am	(P-3325/88; A-2090)
830.140	am	(P-3325/88; A-2090)
830.150	r	(P-3325/88; A-2090)
830.160	r	(P-3325/88; A-2090)
830.170	r	(P-3325/88; A-2090)
830.180	am	(P-3325/88; A-2090)
830.190	n	(P-3325/88; A-2090)

VOL. 13, THRU ISSUE #37

SECTIONS AFFECTED INDEX

THRU SEPTEN BER 15, 1989

TITLE 77 (CONT'D)

830.200	am	(P-3325/88; A-2090)
830.210	n	(P-3325/88; A-2090)
830.220	n	(P-3325/88; A-2090)
830.230	n	(P-3325/88; A-2090)
830.240	n	(P-3325/88; A-2090)
830.250	am	(P-3325/88; A-2090)
830.260	am	(P-3325/88; A-2090)
830.270	am	(P-3325/88; A-2090)
830.280	r	(P-3325/88; A-2090)
830.290	n	(P-3325/88; A-2090)
830.300	n	(P-3325/88; A-2090)
830.310	n	(P-3325/88; A-2090)
830.315	r	(P-3325/88; A-2090)
830.400	am	(P-3325/88; A-2090)
830.410	am	(P-3325/88; A-2090)
830.420	r	(P-3325/88; A-2090)
830.430	am	(P-3325/88; A-2090)
830.440	am	(P-3325/88; A-2090)
830.450	am	(P-3325/88; A-2090)
830.460	am	(P-3325/88; A-2090)
830.500	am	(P-3325/88; A-2090)
830.510	r	(P-3325/88; A-2090)
830.520	am	(P-3325/88; A-2090)
830.530	am	(P-3325/88; A-2090)
830.540	am	(P-3325/88; A-2090)
830.560	am	(P-3325/88; A-2090)
830.570	r	(P-3325/88; A-2090)
830.600	am	(P-3325/88; A-2090)
830.610	r	(P-3325/88; A-2090)
830.620	am	(P-3325/88; A-2090)
830.630	am	(P-3325/88; A-2090)
830.640	am	(P-3325/88; A-2090)
830.650	am	(P-3325/88; A-2090)
830.660	r	(P-3325/88; A-2090)
830.670	r	(P-3325/88; A-2090)
830.700	am	(P-3325/88; A-2090)
830.800	am	(P-3325/88; A-2090)
830.820	am	(P-3325/88; A-2090)
830.830	n	(P-3325/88; A-2090)
830.840	n	(P-3325/88; A-2090)
830.850	n	(P-3325/88; A-2090)
830.860	n	(P-3325/88; A-2090)
830.870	n	(P-3325/88; A-2090)
830.880	n	(P-3325/88; A-2090)
830.890	n	(P-3325/88; A-2090)
830.900	am	(P-6564/88; A-2768)
855.10	am	(P-6564/88; A-2768)
855.20	am	(P-6564/88; A-2768)
855.30	am	(P-6564/88; A-2768)
855.40	am	(P-6564/88; A-2768)
855.50	n	(P-6564/88; A-2768)
855.60	am	(P-6564/88; A-2768)
855.70	am	(P-6564/88; A-2768)
855.80	am	(P-6564/88; A-2768)
855.90	am	(P-6564/88; A-2768)
855.100	am	(P-6564/88; A-2768)
855.110	am	(P-6564/88; A-2768)
855.120	am	(P-6564/88; A-2768)
855.130	am	(P-6564/88; A-2768)
855.140	am	(P-6564/88; A-2768)
855.150	am	(P-6564/88; A-2768)
855.160	am	(P-6564/88; A-2768)
855.170	am	(P-6564/88; A-2768)
855.180	am	(P-6564/88; A-2768)
855.190	am	(P-6564/88; A-2768)
855.200	am	(P-6564/88; A-2768)

TITLE 77 (CONT'D)

855.240	am	(P-6564/88; A-2768)
855.260	am	(P-6564/88; A-2768) (P-8824)
855.270	am	(P-6564/88; A-2768) (P-8824)
855.275	n	(P-6564/88; A-2768)
855.280	am	(P-6564/88; A-2768)
855.290	am	(P-6564/88; A-2768) (P-8824)
855.300	am	(P-6564/88; A-2768)
855.330	n	(P-6564/88; A-2768)
855.340	n	(P-6564/88; A-2768)
855.345	n	(P-6564/88; A-2768)
855.350	n	(P-6564/88; A-2768)
855.355	n	(P-6564/88; A-2768)
855.360	n	(P-6564/88; A-2768)
855.370	am	(P-6564/88; A-2768)
855.380	am	(P-6564/88; A-2768)
855.390	am	(P-6564/88; A-2768)
855.400	am	(P-6564/88; A-2768)
855.410	am	(P-6564/88; A-2768)
855.420	am	(P-6564/88; A-2768)
855.430	am	(P-6564/88; A-2768)
855.440	am	(P-6564/88; A-2768)
855.450	am	(P-6564/88; A-2768)
855.460	am	(P-6564/88; A-2768)
855.470	am	(P-6564/88; A-2768)
855.480	am	(P-6564/88; A-2768)
855.490	am	(P-6564/88; A-2768)
855.500	am	(P-6564/88; A-2768)
855.510	am	(P-6564/88; A-2768)
855.520	am	(P-6564/88; A-2768)
855.530	am	(P-6564/88; A-2768)
855.540	am	(P-6564/88; A-2768)
855.550	am	(P-6564/88; A-2768)
855.560	am	(P-6564/88; A-2768)
855.570	am	(P-6564/88; A-2768)
855.580	am	(P-6564/88; A-2768)
855.590	am	(P-6564/88; A-2768)
855.600	am	(P-6564/88; A-2768)
855.610	am	(P-6564/88; A-2768)
855.620	am	(P-6564/88; A-2768)
855.630	am	(P-6564/88; A-2768)
855.640	am	(P-6564/88; A-2768)
855.650	am	(P-6564/88; A-2768)
855.660	am	(P-6564/88; A-2768)
855.670	am	(P-6564/88; A-2768)
855.680	am	(P-6564/88; A-2768)
855.690	am	(P-6564/88; A-2768)
855.700	am	(P-6564/88; A-2768)
855.710	am	(P-6564/88; A-2768)
855.720	am	(P-6564/88; A-2768)
855.730	am	(P-6564/88; A-2768)
855.740	am	(P-6564/88; A-2768)
855.750	am	(P-6564/88; A-2768)
855.760	am	(P-6564/88; A-2768)
855.770	am	(P-6564/88; A-2768)
855.780	am	(P-6564/88; A-2768)
855.790	am	(P-6564/88; A-2768)
855.800	am	(P-6564/88; A-2768)
855.810	am	(P-6564/88; A-2768)
855.820	am	(P-6564/88; A-2768)
855.830	am	(P-6564/88; A-2768)
855.840	am	(P-6564/88; A-2768)
855.850	am	(P-6564/88; A-2768)
855.860	am	(P-6564/88; A-2768)
855.870	am	(P-6564/88; A-2768)
855.880	am	(P-6564/88; A-2768)
855.890	am	(P-6564/88; A-2768)
855.900	am	(P-6564/88; A-2768)
855.910	am	(P-6564/88; A-2768)
855.920	am	(P-6564/88; A-2768)
855.930	am	(P-6564/88; A-2768)
855.940	am	(P-6564/88; A-2768)
855.950	am	(P-6564/88; A-2768)
855.960	am	(P-6564/88; A-2768)
855.970	am	(P-6564/88; A-2768)
855.980	am	(P-6564/88; A-2768)
855.990	am	(P-6564/88; A-2768)
856.000	am	(P-6564/88; A-2768)

TITLE 77 (CONT'D)		TITLE 77 (CONT'D)	
890.2110	am (P-4543)	910.40	am (P-8282)
890.3010	n (P-4543)	910.50	am (P-8282)
890.3020	n (P-4543)	910.60	am (P-8282)
890.3030	n (P-4543)	910.70	am (P-8282)
890.3040	n (P-4543)	910.80	am (P-8282)
890.3050	n (P-4543)	920.30	am (P-17233/88; A-11756)
890.3060	n (P-4543)	920.40	am (P-17233/88; A-11756)
890.3070	n (P-4543)	920.50	am (P-17233/88; A-11756)
890.3080	n (P-4543)	920.60	am (P-17233/88; A-11756)
890.3090	n (P-4543)	920.70	am (P-17233/88; A-11756)
890.4000	n (P-4543)	920.80	am (P-17233/88; A-11756)
900.10	am (P-17206/88; A-12578)	920.90	am (P-17233/88; A-11756)
900.15	n (P-17206/88; A-12578)	920.100	am (P-17233/88; A-11756)
900.20	am (P-17206/88; A-12578)	920.110	am (P-17233/88; A-11756)
900.30	am (P-17206/88; A-12578)	920.120	am (P-17233/88; A-11756)
900.40	am (P-17206/88; A-12578)	920.130	am (P-17233/88; A-11756)
900.50	am (P-17206/88; A-12578)	920.150	am (P-17233/88; A-11756)
900.60	am (P-17206/88; A-12578)	920.155	am (P-17233/88; A-11756)
900.65	n (P-17206/88; A-12578)	925.15	n (P-17252/88; A-11816)
900.70	am (P-17206/88; A-12578)	925.30	am (P-17252/88; A-11816)
900.80	am (P-17206/88; A-12578)	925.40	am (P-17252/88; A-11816)
900.90	am (P-17206/88; A-12578)	1100.40	r (P-5596)
900.100	am (P-17206/88; A-12578)	1100.560	am (P-5596)
900.100	am (P-17206/88; A-12578)	1100.620	am (P-5596)
900.100	am (P-17206/88; A-12578)	1100.630	am (P-5596)
900.100	am (P-17206/88; A-12578)	1100.660	am (P-5596)
900.100	am (P-17206/88; A-12578)	1110.30	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.40	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.50	n (P-5619)
900.100	am (P-17206/88; A-12578)	1110.560	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.620	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.720	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.730	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.820	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.830	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.840	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.850	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.860	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.870	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.880	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.890	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.900	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.910	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.920	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.930	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.940	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.950	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.960	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.970	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.980	am (P-5619)
900.100	am (P-17206/88; A-12578)	1110.990	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.000	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.010	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.020	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.030	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.040	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.050	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.060	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.070	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.080	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.090	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.100	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.110	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.120	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.130	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.140	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.150	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.160	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.170	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.180	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.190	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.200	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.210	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.220	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.230	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.240	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.250	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.260	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.270	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.280	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.290	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.300	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.310	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.320	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.330	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.340	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.350	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.360	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.370	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.380	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.390	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.400	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.410	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.420	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.430	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.440	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.450	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.460	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.470	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.480	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.490	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.500	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.510	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.520	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.530	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.540	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.550	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.560	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.570	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.580	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.590	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.600	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.610	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.620	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.630	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.640	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.650	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.660	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.670	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.680	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.690	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.700	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.710	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.720	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.730	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.740	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.750	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.760	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.770	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.780	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.790	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.800	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.810	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.820	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.830	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.840	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.850	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.860	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.870	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.880	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.890	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.900	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.910	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.920	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.930	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.940	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.950	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.960	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.970	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.980	am (P-5619)
900.100	am (P-17206/88; A-12578)	1111.990	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.000	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.010	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.020	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.030	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.040	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.050	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.060	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.070	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.080	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.090	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.100	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.110	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.120	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.130	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.140	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.150	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.160	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.170	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.180	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.190	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.200	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.210	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.220	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.230	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.240	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.250	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.260	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.270	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.280	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.290	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.300	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.310	am (P-5619)
900.100	am (P-17206/88; A-12578)	1112.320	am (P-5619)
900.100			

TITLE 77 (CONT'D)	
2056.330	am (P-22265/88; A-7274)
2056.405	am (P-22265/88; A-7274)
2056.410	am (P-22265/88; A-7274)
2056.415	am (P-22265/88; A-7274)
2056.420	am (P-22265/88; A-7274)
2056.430	am (P-22265/88; A-7274)
2056.505	am (P-22265/88; A-7274)
2056.510	am (P-22265/88; A-7274)
2056.515	am (P-22265/88; A-7274)
2056.605	am (P-22265/88; A-7274)
2056.610	am (P-22265/88; A-7274)
2056.700	am (P-22265/88; A-7274)
2056.710	am (P-22265/88; A-7274)
2056.Ap A	am (P-22265/88; A-7274)
2310.50	am (P-13694/88; A-334)
2310.55	am (P-8198)
2310.Ap D	am (P-8198)
2300.102	am (P-6856)

TITLE 80	am	(P-16438/88; A-5201)
150.10	am	(P-16438/88; A-5201)
150.510	am	(P-16438/88; A-5201)
150.520	am	(P-16438/88; A-5201)
150.530	am	(P-16438/88; A-5201)
150.565	am	(P-16438/88; A-5201)
150.665	am	(P-16438/88; A-5201)
150.670	am	(P-12542)
150.680	am	(P-16438/88; A-5201)
250.50	am	(P-17569/88; A-7324)
250.70	am	(P-1921)
302.105	n	(P-10569/88; A-10820)
302.190	am	(P-1639; A-12970)
302.200	am	(P-1639; A-12970)
302.625	am	(P-1639; A-12970)
302.800	r	(P-15813/88; A-3722)
302.800	n	(P-15813/88; A-3722)
302.810	n	(P-15813/88; A-3722)
302.810	n	(P-15813/88; A-3722)
302.820	n	(P-15813/88; A-3722)
302.820	n	(P-15813/88; A-3722)
302.822	r	(P-15813/88; A-3722)
302.822	r	(P-15813/88; A-3722)
302.824	r	(P-15813/88; A-3722)
302.824	n	(P-15813/88; A-3722)
302.825	n	(P-15813/88; A-3722)
302.825	n	(P-15813/88; A-3722)
302.830	n	(P-15813/88; A-3722)
302.830	n	(P-15813/88; A-3722)
302.840	n	(P-15813/88; A-3722)
302.840	n	(P-15813/88; A-3722)
302.841	r	(P-15813/88; A-3722)
302.842	r	(P-15813/88; A-3722)
302.846	r	(P-15813/88; A-3722)
302.846	n	(P-15813/88; A-3722)
302.850	n	(P-15813/88; A-3722)
302.850	n	(P-15813/88; A-3722)

[illegible][illegible]

TITLE	80	(CONT'D)
1105.80	am	(P-1335)
1105.90	am	(P-1335)
1105.100	am	(P-1335)
1105.110	am	(P-1335)
1105.120	am	(P-1335)
1105.130	r	(P-1335)
1105.140	am	(P-1335)
1105.150	am	(P-1335)
1105.160	am	(P-1335)
1105.170	am	(P-1335)
1105.180	am	(P-1335)
1105.200	am	(P-1335)
1105.220	am	(P-1335)
1110.40	am	(P-1355)
1110.50	am	(P-1355)
1110.60	am	(P-1355)
1110.70	r	(P-1355)
1110.70	n	(P-1355)
1110.80	am	(P-1355)
1110.90	am	(P-1355)
1110.100	am	(P-1355)
1110.110	am	(P-1355)
1110.140	am	(P-1355)
1110.150	am	(P-1355)
1110.160	am	(P-1355)
1110.170	am	(P-1355)
1110.180	n	(P-1355)
1120.20	am	(P-1379)
1120.30	am	(P-1379)
1120.40	am	(P-1379)
1120.50	am	(P-1379)
1120.70	n	(P-1379)
1125.10	am	(P-1637/S)
1125.20	am	(P-1637/S)
1125.30	am	(P-1637/S)
1125.50	r	(P-1637/S)
1125.70	am	(P-1637/S)
1125.80	am	(P-1637/S) A-1784)
1125.90	r	(P-1637/S)
1125.100	n	(P-1637/S)
1570.40	am	(P-141222) A-1577)
1570.60	r	(P-141222) A-1577)
1570.70	am	(P-141222) A-1577)
1570.80	am	(P-141222) A-1577)
1570.90	am	(P-141222) A-1577)
1570.100	am	(P-141222) A-1577)
1570.110	r	(P-141222) A-1577)
1570.150	r	(P-141222) A-1577)
1570.160	am	(P-141222) A-1577)

TITLE	NO.	(CONT'D)
1600.50	am	(P-10769)
2110.30	am	(P-1; A-9259) (E-214)
2110.30	am	(P-1; A-9259) (E-214)
2110.320	am	(P-1; A-9259) (E-214)
2110.330	am	(P-1; A-9259) (E-214)
2110.510	am	(P-1; A-9259) (E-214)
2110.530	am	(P-1; A-9259) (E-214)
2150.1	n	(P-10285/88; A-2407)
2150.1	am	(P-6853)
2150.2	n	(P-10285/88; A-2407)
2150.5	n	(P-10285/88; A-2407)
2650.1	n	(P-6871/88; O-1256; R-3; A-3330)
2650.5	n	(P-6871/88; O-1256; R-3; A-3330)
2650.10	n	(P-6871/88; O-1256; R-3; A-3330)
2650.15	n	(P-6871/88; O-1256; R-3; A-3330)
2650.20	n	(P-6871/88; O-1256; R-3; A-3330)
2650.25	n	(P-6871/88; O-1256; R-3; A-3330)
2650.30	n	(P-6871/88; O-1256; R-3; A-3330)
2700.200	am	(P-253; A-9308) (E-129)
2700.440	am	(P-253; A-9308) (E-129)
2700.620	am	(P-253; A-9308) (E-129)
2700.630	am	(P-253; A-9308) (E-129)
2700.650	am	(P-253; A-9308) (E-129)
2700.700	am	(P-253; A-9308) (E-129)
2700.710	am	(P-253; A-9308) (E-129)
2700.720	am	(P-253; A-9308) (E-129)
2700.730	am	(P-253; A-9308) (E-129)
2700.735	n	(P-253; A-9308) (E-129)
2700.740	am	(P-253; A-9308) (E-129)
2700.750	am	(P-253; A-9308) (E-129)
2700.820	am	(P-253; A-9308) (E-129)
2700.920	am	(P-253; A-9308) (E-129)
2700.Ap. A	am	(P-253; A-9308) (E-129)
Ex. E	am	(P-253; A-9308) (E-129)
Ex. F	am	(P-253; A-9308) (E-129)
TITLE 83		
215.10	am	(P-18026/88; A-4651)
215.30	am	(P-18026/88; A-4651)
281.30	am	(P-1647; A-10841)
281.90	am	(P-1647; A-10841)
281.100	am	(P-1647; A-10841)
281.Ex. D	am	(P-1647; A-10841)
281.Ex. E	am	(P-1647; A-10841)
285.110	am	(P-5229)
285.115	am	(P-5229)
285.130	am	(P-5229)
285.150	am	(P-5229)
285.160	am	(P-5229)

TITLE 83 (CONT'D)

285.210	am	(P-5229)	285.3110	n	(P-5229)
285.310	am	(P-5229)	285.3115	n	(P-5229)
285.410	am	(P-5229)	285.3120	n	(P-5229)
285.420	am	(P-5229)	285.3125	n	(P-5229)
285.1000	n	(P-5229)	285.3130	n	(P-5229)
285.1005	n	(P-5229)	285.4000	n	(P-5229)
285.1010	n	(P-5229)	285.4005	n	(P-5229)
285.1015	n	(P-5229)	285.4010	n	(P-5229)
285.2000	n	(P-5229)	285.4015	n	(P-5229)
285.2005	n	(P-5229)	285.4020	n	(P-5229)
285.2010	n	(P-5229)	285.4025	n	(P-5229)
285.2015	n	(P-5229)	285.5000	n	(P-5229)
285.2020	n	(P-5229)	285.5005	n	(P-5229)
285.2025	n	(P-5229)	285.5010	n	(P-5229)
285.2030	n	(P-5229)	285.5015	n	(P-5229)
285.2035	n	(P-5229)	285.5020	n	(P-5229)
285.2040	n	(P-5229)	285.5025	n	(P-5229)
285.2045	n	(P-5229)	285.5030	n	(P-5229)
285.2050	n	(P-5229)	285.5035	n	(P-5229)
285.2055	n	(P-5229)	285.5040	n	(P-5229)
285.2060	n	(P-5229)	285.5045	n	(P-5229)
285.2065	n	(P-5229)	285.5050	n	(P-5229)
285.2070	n	(P-5229)	285.5055	n	(P-5229)
285.2075	n	(P-5229)	285.5060	n	(P-5229)
285.2080	n	(P-5229)	285.5065	n	(P-5229)
285.2085	n	(P-5229)	285.5070	n	(P-5229)
285.2090	n	(P-5229)	285.5075	n	(P-5229)
285.2095	n	(P-5229)	285.5080	n	(P-5229)
285.2100	n	(P-5229)	285.5085	n	(P-5229)
285.2105	n	(P-5229)	285.5090	n	(P-5229)
285.2110	n	(P-5229)	285.5095	n	(P-5229)
285.2115	n	(P-5229)	285.5100	n	(P-5229)
285.2120	n	(P-5229)	285.5105	n	(P-5229)
285.2125	n	(P-5229)	285.5110	n	(P-5229)
285.3000	n	(P-5229)	285.5115	n	(P-5229)
285.3005	n	(P-5229)	285.5120	n	(P-5229)
285.3010	n	(P-5229)	285.5125	n	(P-5229)
285.3015	n	(P-5229)	285.5130	n	(P-5229)
285.3020	n	(P-5229)	285.5135	n	(P-5229)
285.3025	n	(P-5229)	285.5140	n	(P-5229)
285.3030	n	(P-5229)	285.5145	n	(P-5229)
285.3035	n	(P-5229)	285.5150	n	(P-5229)
285.3040	n	(P-5229)	285.5155	n	(P-5229)
285.3045	n	(P-5229)	285.5160	n	(P-5229)
285.3050	n	(P-5229)	285.5165	n	(P-5229)
285.3055	n	(P-5229)	285.5170	n	(P-5229)
285.3060	n	(P-5229)	285.5175	n	(P-5229)
285.3065	n	(P-5229)	285.5180	n	(P-5229)
285.3070	n	(P-5229)	285.5185	n	(P-5229)
285.3075	n	(P-5229)	285.5190	n	(P-5229)
285.3080	n	(P-5229)	285.5195	n	(P-5229)
285.3085	n	(P-5229)	285.5200	n	(P-5229)
285.3090	n	(P-5229)	285.5205	n	(P-5229)
285.3095	n	(P-5229)	285.5210	n	(P-5229)
285.3100	n	(P-5229)	285.5215	n	(P-5229)

TITLE 83 (CONT'D)

440.900	n	(P-3162/88; A-296)	710.205	n	(P-19563/88; A-757C)
440.910	n	(P-3162/88; A-296)	710.210	n	(P-19563/88; A-757C)
445.10	n	(P-13129)	710.215	n	(P-19563/88; A-757C)
445.20	n	(P-13129)	710.220	n	(P-19563/88; A-757C)
445.30	n	(P-13129)	710.225	n	(P-19563/88; A-757C)
445.40	n	(P-13129)	710.230	n	(P-19563/88; A-757C)
445.50	n	(P-13129)	710.235	n	(P-19563/88; A-757C)
445.60	n	(P-13129)	710.240	n	(P-19563/88; A-757C)
445.70	n	(P-13129)	710.2000	n	(P-19563/88; A-757C)
445.80	n	(P-13129)	757.10	n	(P-14799/88; A-143F6)
505.10	am	(P-1686; A-10858; (P-13361))	757.15	n	(P-14799/88; A-143F6)
535.10	n	(P-9314/88; A-7331)	757.100	n	(P-14799/88; A-143F6)
535.15	n	(P-9314/88; A-7331)	757.105	n	(P-14799/88; A-143F6)
535.100	n	(P-9314/88; A-7331)	757.110	n	(P-14799/88; A-143F6)
535.110	n	(P-9314/88; A-7331)	757.115	n	(P-14799/88; A-143F6)
535.115	n	(P-9314/88; A-7331)	757.120	n	(P-14799/88; A-143F6)
535.120	n	(P-9314/88; A-7331)	757.200	n	(P-14799/88; A-143F6)
535.200	n	(P-9314/88; A-7331)	757.205	n	(P-14799/88; A-143F6)
535.205	n	(P-9314/88; A-7331)	757 Ex.A	n	(P-14799/88; A-143F6)
535.210	n	(P-9314/88; A-7331)	760.20	n	(P-13358)
535.220	n	(P-9314/88; A-7331)	900.5	r	(P-12680)
535.300	n	(P-9314/88; A-7331)	900.10	r	(P-12680)
535.305	n	(P-9314/88; A-7331)	900.20	r	(P-12680)
535.310	n	(P-9314/88; A-7331)	900.30	r	(P-12680)
535.320	n	(P-9314/88; A-7331)	900.40	r	(P-12680)
535.330	n	(P-9314/88; A-7331)	900.50	r	(P-12680)
535.340	n	(P-9314/88; A-7331)	900.60	r	(P-12680)
535.350	n	(P-9314/88; A-7331)	900.70	r	(P-12680)
535.360	n	(P-9314/88; A-7331)	900.80	r	(P-12680)
535.400	n	(P-9314/88; A-7331)	900.90	r	(P-12680)
535.410	n	(P-9314/88; A-7331)	900.100	r	(P-12680)
535.500	n	(P-9314/88; A-7331)	900.110	r	(P-12680)
535.510	n	(P-9314/88; A-7331)	900.120	r	(P-12680)
590.10	am	(P-9067)	900.130	r	(P-12680)
595.120	am	(P-16309/88; A-2036)	900.140	r	(P-12680)
710.10	am	(P-9076)	900.150	r	(P-12680)
710.100	n	(P-19563/88; A-7570)	900.160	r	(P-12680)
710.105	n	(P-19563/88; A-7570)	900.170	r	(P-12680)
710.110	n	(P-19563/88; A-7570)	1000.5	r	(P-12756)
710.115	n	(P-19563/88; A-7570)	1000.10	r	(P-12756)
710.120	n	(P-19563/88; A-7570)	1000.20	r	(P-12756)
710.125	n	(P-19563/88; A-7570)	1000.30	r	(P-12756)
710.130	n	(P-19563/88; A-7570)	1000.40	r	(P-12756)
710.135	n	(P-19563/88; A-7570)	1000.50	r	(P-12756)
710.140	n	(P-19563/88; A-7570)	1000.60	r	(P-12756)
710.145	n	(P-19563/88; A-7570)	1000.70	r	(P-12756)
710.150	n	(P-19563/88; A-7570)	1000.80	r	(P-12756)
710.155	n	(P-19563/88; A-7570)	1000.90	r	(P-12756)
710.160	n	(P-19563/88; A-7570)	1000.100	r	(P-12756)
710.165	n	(P-19563/88; A-7570)	1000.110	r	(P-12756)
710.170	n	(P-19563/88; A-7570)	1000.120	r	(P-12756)
710.175	n	(P-19563/88; A-7570)	1000.130	r	(P-12756)
710.180	n	(P-19563/88; A-7570)	1000.140	r	(P-12756)
710.185	n	(P-19563/88; A-7570)	1000.150	r	(P-12756)
710.190	n	(P-19563/88; A-7570)	1000.160	r	(P-12756)
710.200	n	(P-19563/88; A-7570)	1000.170	r	(P-12756)

TITLE 86		TITLE 86 (CONT'D)		TITLE 86 (CONT'D)		TITLE 86 (CONT'D)	
100.2900	am	160.165	am	500.101	am	1910.67	am
100.2901	n	180.101	am	525.103	n	1910.68	n
100.2902	n	200.101	r	530.165	am	1910.69	n
100.2903	n	200.101	n	600.101	n	1910.70	am
100.2904	n	200.105	r	600.105	n	1910.75	n
100.3700	am	200.110	n	600.110	n	1910.90	n
100.5706	am	200.115	n	600.115	n	1910.95	n
110.105	am	200.115	n	600.120	n		
110.145	am	200.120	n	600.125	n		
110.160	am	200.120	n	600.130	n		
130.310	am	200.125	r	600.135	n		
130.901	am	200.125	r	610.101	n		
130.1501	am	200.125	r	610.105	n		
130.1505	am	200.130	n	610.110	n		
130.1515	am	200.130	n	610.115	n		
140.101	am	200.135	n	610.120	n		
140.105	am	200.135	n	610.125	n		
140.110	r	200.140	n	610.130	n		
140.115	r	200.140	n	610.135	n		
140.120	am	200.145	n	620.101	n		
140.125	am	200.150	n	620.105	n		
140.126	n	200.155	n	620.110	n		
140.130	r	200.165	n	620.115	n		
140.135	am	200.170	n	630.101	n		
140.140	am	200.175	n	630.105	n		
140.145	r	210.135	n	630.110	n		
140.201	am	425.10	n	630.115	n		
140.301	am	425.20	r	630.120	n		
140.305	am	432.100	n	630.125	n		
140.401	am	432.110	n	630.130	n		
140.405	am	432.120	n	630.135	n		
140.410	am	432.130	n	640.101	n		
140.420	am	432.140	n	640.105	n		
140.425	am	432.150	n	640.110	n		
140.430	am	432.160	n	640.115	n		
140.501	am	432.170	n	640.120	n		
140.505	r	432.180	n	640.125	n		
140.1301	r	432.190	n	640.130	n		
140.1310	r	432.200	n	640.135	n		
140.1415	am	440.10	am	650.101	n		
140.1501	am	440.20	am	650.105	n		
140.1601	am	440.50	am	650.110	n		
140.1401	am	440.90	am	650.115	n		
140.1415	am	440.140	am	650.120	n		
140.1405	am	440.150	r	650.125	n		
140.1415	am	440.160	am	650.130	n		
140.1405	am	440.170	am	650.135	n		
140.1415	am	440.180	am	650.140	n		
140.1415	am	440.190	am	650.145	n		
140.1415	am	440.200	am	650.150	n		
140.1415	am	440.210	am	650.155	n		
140.1415	am	440.220	am	650.160	n		
140.1415	am	440.230	am	650.165	n		
140.1415	am	440.240	am	650.170	n		
140.1415	am	440.250	am	650.175	n		
140.1415	am	440.260	am	650.180	n		
140.1415	am	440.270	am	650.185	n		
140.1415	am	440.280	am	650.190	n		
140.1415	am	440.290	am	650.195	n		
140.1415	am	440.300	am	650.200	n		
140.1415	am	440.310	am	650.205	n		
140.1415	am	440.320	am	650.210	n		
140.1415	am	440.330	am	650.215	n		
140.1415	am	440.340	am	650.220	n		
140.1415	am	440.350	am	650.225	n		
140.1415	am	440.360	am	650.230	n		
140.1415	am	440.370	am	650.235	n		
140.1415	am	440.380	am	650.240	n		
140.1415	am	440.390	am	650.245	n		
140.1415	am	440.400	am	650.250	n		
140.1415	am	440.410	am	650.255	n		
140.1415	am	440.420	am	650.260	n		
140.1415	am	440.430	am	650.265	n		
140.1415	am	440.440	am	650.270	n		
140.1415	am	440.450	am	650.275	n		
140.1415	am	440.460	am	650.280	n		
140.1415	am	440.470	am	650.285	n		
140.1415	am	440.480	am	650.290	n		
140.1415	am	440.490	am	650.295	n		
140.1415	am	440.500	am	650.300	n		
140.1415	am	440.510	am	650.305	n		
140.1415	am	440.520	am	650.310	n		
140.1415	am	440.530	am	650.315	n		
140.1415	am	440.540	am	650.320	n		
140.1415	am	440.550	am	650.325	n		
140.1415	am	440.560	am	650.330	n		
140.1415	am	440.570	am	650.335	n		
140.1415	am	440.580	am	650.340	n		
140.1415	am	440.590	am	650.345	n		
140.1415	am	440.600	am	650.350	n		
140.1415	am	440.610	am	650.355	n		
140.1415	am	440.620	am	650.360	n		
140.1415	am	440.630	am	650.365	n		
140.1415	am	440.640	am	650.370	n		
140.1415	am	440.650	am	650.375	n		
140.1415	am	440.660	am	650.380	n		
140.1415	am	440.670	am	650.385	n		
140.1415	am	440.680	am	650.390	n		
140.1415	am	440.690	am	650.395	n		
140.1415	am	440.700	am	650.400	n		
140.1415	am	440.710	am	650.405	n		
140.1415	am	440.720	am	650.410	n		
140.1415	am	440.730	am	650.415	n		
140.1415	am	440.740	am	650.420	n		
140.1415	am	440.750	am	650.425	n		
140.1415	am	440.760	am	650.430	n		
140.1415	am	440.770	am	650.435	n		
140.1415	am	440.780	am	650.440	n		
140.1415	am	440.790	am	650.445	n		
140.1415	am	440.800	am	650.450	n		
140.1415	am	440.810	am	650.455	n		
140.1415	am	440.820	am	650.460	n		
140.1415	am	440.830	am	650.465	n		
140.1415	am	440.840	am	650.470	n		
140.1415	am	440.850	am	650.475	n		
140.1415	am	440.860	am	650.480	n		
140.1415	am	440.870	am	650.485	n		
140.1415	am	440.880	am	650.490	n		
140.1415	am	440.890	am	650.495	n		
140.1415	am	440.900	am	650.500	n		
140.1415	am	440.910	am	650.505	n		
140.1415	am	440.920	am	650.510	n		
140.1415	am	440.930	am	650.515	n		
140.1415	am	440.940	am	650.520	n		
140.1415	am	440.950	am	650.525	n		
140.1415	am	440.960	am	650.530	n		
140.1415	am	440.970	am	650.535	n		
140.1415	am	440.980	am	650.540	n		
140.1415	am	440.990	am	650.545	n		
140.1415	am	440.1000	am	650.550	n		
140.1415	am	440.1010	am	650.555	n		
140.1415	am	440.1020	am	650.560	n		
140.1415	am	440.1030	am	650.565	n		
140.1415	am	440.1040	am	650.570	n		
140.1415	am	440.1050	am	650.575	n		
140.1415	am	440.1060	am	650.580	n		
140.1415	am	440.1070	am	650.585	n		
140.1415	am	440.1080	am	650.590	n		
140.1415	am	440.1090	am	650.595	n		
140.1415	am	440.1100	am	650.600	n		
140.1415	am	440.1110	am	650.605	n		
140.1415	am	440.1120	am	650.610	n		
140.1415	am	440.1130	am	650.615	n		
140.1415	am	440.1140	am	650.620	n		
140.1415	am	440.1150	am	650.625	n		
140.1415	am	440.1160	am	650.630	n		
140.1415	am	440.1170	am	650.635	n		
140.1415	am	440.1180	am	650.640	n		
140.1415	am	440.1190	am	650.645	n		
140.1415	am	440.1200	am	650.650	n		
140.1415	am	440.1210	am	650.655	n		
140.1415	am	440.1220	am	650.660	n		
140.1415	am	440.1230	am	650.665	n		
140.1415	am	440.1240	am	650.670	n		
140.1415	am	440.1250	am	650.675	n		
140.1415	am	440.1260	am	650.680	n		
140.1415	am	440.1270	am	650.685	n		
140.1415	am	440.1280	am	650.690	n		
140.1415	am	440.1290	am	650.695	n		
140.1415	am	440.1300	am	650.700	n		
140.1415	am	440.1310	am	650.705	n		
140.1415	am	440.1320	am	650.710	n		
140.1415	am	440.1330	am	650.715	n		
140.1415	am	440.1340	am	650.720	n		
140.1415	am	440.1350	am	650.725	n		
140.1415	am	440.1360	am	650.730	n		
140.1415	am	440.1370	am	650.735	n		
140.1415	am	440.1380	am	650.740	n		
140.1415	am	440.1390	am	650.745	n		
140.1415	am	440.1400	am	650.750	n		
140.1415	am	440.1410	am	650.755	n		
140.1415	am	440.1420	am	650.760	n		
140.1415	am	440.1430	am	650.765	n		
140.1415	am	440.1440	am	650.770	n		
140.1415	am	440.1450	am	650.775	n		
140.1415	am	440.1460	am	650.780	n		
140.1415	am	440.1470	am	650.785	n		
140.1415	am	440.1480	am	650.790	n		
140.1415	am	440.1490	am	650.795	n		
140.1415	am	440.1500	am	650.800	n		
140.1415	am	440.1510	am	650.805	n		
140.1415	am	440.1520	am	650.810	n		
140.1415	am	440.1530	am	650.815	n		
140.1415	am	440.1540	am	65			

TITLE 89 (CONT'D)

114.128	am	(P-17621/88; A-1546)	140.95	re	(A-9572)
114.220	am	(P-5456)	140.96	re	(A-9572)
114.240	r	(P-5456)	140.97	re	(A-9572)
114.351	am	(P-15924/88; A-49)	140.98	re	(A-9572)
114.352	am	(P-15924/88; A-49)	140.99	re	(A-9572)
114.353	am	(P-15924/88; A-49)	140.100	re	(A-9572)
115.1	n	(P-20735/88; A-3932)	140.100	am	(P-16421/88; O-125; M-3195; A-3069)
115.10	am	(P-2702; A-13631)	140.101	re	(A-9572)
115.30	am	(P-2702; A-13631)	140.102	re	(A-9572)
116.10	n	(P-20683/88; A-3847)	140.103	re	(A-9572)
117.1	n	(P-20739/88; A-3956)	140.104	re	(A-9572)
117.20	am	(P-5487)	140.110	n	(A-12118)
117.50	am	(P-14008)	140.110	n	(P-11701/88; A-12119; O-13295; R-13688)
117.51	am	(P-14008)	140.116	re	(A-9572)
117.53	am	(P-14008)	140.117	re	(A-9572)
118.300	n	(P-20753/88; A-3950)	140.120	re	(A-9572)
120.1	n	(P-20705/88; A-3908)	140.200	re	(A-9572)
120.10	am	(P-11929)	140.202	re	(A-9572)
120.31	am	(P-9996)	140.203	re	(A-9572)
120.40	am	(P-17633/88; A-2081)	140.300	re	(A-9572)
120.60	am	(E-11929)	140.350	am	(P-5958/88; A-3351)
120.62	am	(E-11929)	140.350	am	(A-9572)
120.63	am	(E-11929)	140.360	re	(A-9572)
120.70	am	(P-3281)	140.361	re	(A-9572)
120.72	n	(P-3281)	140.362	am	(P-5958/88; A-3351)
120.74	n	(P-3281)	140.362	am	(P-5958/88; A-3351)
120.76	n	(P-3281)	140.363	am	(P-5958/88; A-3351)
120.84	n	(E-11929)	140.364	re	(A-9572)
120.346	am	(P-10753)	140.364	r	(P-5958/88; A-3351)
120.380	am	(P-10753)	140.365	re	(A-9572)
120.382	am	(P-15938/88; A-116) (P-3281)	140.366	re	(A-9572)
120.384	am	(E-11929)	140.367	re	(A-9572)
120.393	n	(P-9250) (E-12137)	140.367	am	(P-5958/88; A-3351)
121.19	am	(P-13503)	140.369	am	(P-5958/88; A-3351)
121.27	am	(P-13503)	140.370	re	(A-9572)
121.31	am	(P-13503)	140.370	am	(P-5958/88; A-3351)
121.58	am	(P-3541; A-13619)	140.371	re	(A-9572)
121.62	am	(P-3541; A-13619)	140.372	am	(P-5958/88; A-3351)
121.70	am	(P-13503)	140.373	r	(P-5958/88; A-3351)
121.72	am	(P-13503)	140.374	re	(A-9572)
121.135	n	(P-20669/88; A-3890)	140.376	r	(P-5958/88; A-3351)
130.301	am	(P-4469)	140.390	am	(P-17643/88; A-5115)
130.302	am	(P-4469)	140.390	am	(A-9572)
130.310	am	(P-4469)	140.391	re	(A-9572)
130.312	am	(P-4469)	140.392	re	(A-9572)
130.313	am	(P-4469)	140.392	am	(P-17643/88; A-5115)
130.314	am	(P-4469)	140.394	am	(P-17643/88; A-5115)
130.321	am	(P-4469)	140.394	re	(A-9572)
130.500	n	(P-20669/88; A-3831)	140.398	re	(A-9572)
140.16	am	(P-2937)	140.398	re	(A-9572)
140.17	am	(P-2937)			
140.19	am	(P-12976/88; A-3917)			
140.20	am	(P-20714/88; A-7786)			
140.21	n	(P-3295; A-14391)			
140.43	n	(P-19868/88; A-7025)			
140.94	re	(A-9572)			

SAI - 48

TITLE 89 (CONT'D)

140.400	am	(P-17172/88; A-2475)	141.1480	am	(P-15483/88; A-516) (P-7873) (E-8036)
140.428	am	(P-14265)	141.1520	am	(P-15483/88; A-516) (P-7873) (E-8036)
140.429	r	(P-14265)	141.1680	am	(P-15483/88; A-516) (P-20370/88; A-3850)
140.440	am	(P-22329/88; A-12562)	141.1760	am	(P-15483/88; A-516) (P-9992) (E-10700)
140.441	am	(P-17172/88; A-2475)	141.2080	am	(P-15483/88; A-516) (P-15483/88; A-516)
140.443	am	(P-17172/88; A-2475)	141.2280	am	(P-15483/88; A-516) (P-15483/88; A-516)
140.445	am	(P-17172/88; O-1263; R-2538; A-2475)	141.2400	am	(P-15483/88; A-516) (P-20370/88; A-3850)
140.447	am	(P-17172/88; A-2475)	141.2600	am	(P-20370/88; A-3850)
140.490	am	(P-11157)	141.2760	am	(P-15483/88; A-516) (P-20370/88; A-3850)
140.491	am	(P-11157)	141.2920	am	(P-20370/88; A-3850)
140.492	am	(P-11157)	141.2960	am	(P-15483/88; A-516) (P-20370/88; A-3850) (P-9992) (E-10700)
140.497	n	(P-7546; A-14391)	141.3080	am	(P-7873) (E-8036)
140.512	am	(P-11995/88; A-125)	141.3280	am	(P-20370/88; A-3850)
140.525	am	(P-17172/88; A-5718)	141.3320	am	(P-7873) (E-8036)
140.526	am	(P-1420; A-11516)	141.3400	am	(P-15483/88; A-516) (P-15483/88; A-516)
140.543	am	(P-13178)	141.3440	am	(P-7873) (E-8036)
140.560	am	(P-13178)	141.3520	am	(P-7873) (E-8036)
140.561	am	(P-13178)	141.3560	am	(P-20370/88; A-3850)
140.562	am	(P-13178)	141.3600	am	(P-15483/88; A-516) (P-20370/88; A-3850)
140.569	am	(E-10977)	141.3760	am	(P-15483/88; A-516) (P-20370/88; A-3850) (P-7873) (E-8036)
140.850	re	(A-7040)	141.3800	am	(P-15483/88; A-516) (P-9992) (E-10700)
140.855	re	(A-7040)	141.3920	am	(P-20370/88; A-3850) (P-7873) (E-8036)
140.860	re	(A-7040)	141.4000	am	(P-15483/88; A-516) (P-7873) (E-8036)
140.865	re	(A-7040)	141.4040	am	(P-15483/88; A-516) (P-7873) (E-8036)
140.870	re	(A-7040)	141.4160	am	(P-15483/88; A-516) (P-20370/88; A-3850) (P-7873) (E-8036)
140.875	re	(A-7040)	141.4200	am	(P-20370/88; A-3850) (P-7873) (E-8036)
140.880	re	(A-7040)	141.4230	n	(P-20370/88; A-3850)
140.885	re	(A-7040)	141.4440	am	(P-15483/88; A-516) (P-7873) (E-8036)
140.890	re	(A-7040)	141.4520	am	(P-15483/88; A-516) (P-7873) (E-8036)
140.895	re	(A-7040)	141.4600	am	(P-7873) (E-8036)
140.896	re	(A-7040)	141.4640	am	(P-7873) (E-8036)
140.896	n	(P-11701/88; A-5718)	141.4720	am	(P-15483/88; A-516) (P-20370/88; A-3850)
141.100	am	(P-7873) (E-8036)	141.4760	am	(P-15483/88; A-516) (P-7873) (E-8036)
141.200	am	(P-20370/88; A-3850) (P-7873)	141.4800	am	(P-20370/88; A-3850)
141.360	am	(P-7873) (E-8036)	141.4800	am	(P-7873) (E-8036)
141.400	am	(P-15483/88; A-516) (P-7873)	141.4800	am	(P-7873) (E-8036)
141.480	am	(P-15483/88; A-516) (P-7873)	141.4800	am	(P-7873) (E-8036)
141.520	am	(P-7873) (E-8036)	141.4800	am	(P-7873) (E-8036)
141.560	am	(P-15483/88; A-516) (P-20370/88; A-3850) (P-7873) (E-8036)	141.4800	am	(P-7873) (E-8036)
141.720	am	(P-20370/88; A-3850)	141.4800	am	(P-7873) (E-8036)
141.800	am	(P-15483/88; A-516) (P-7873)	141.4800	am	(P-7873) (E-8036)
141.800	am	(E-8036)	141.4800	am	(P-7873) (E-8036)
141.1000	am	(P-7873) (E-8036)	141.4800	am	(P-7873) (E-8036)
141.1160	am	(P-15483/88; A-516)	141.4800	am	(P-7873) (E-8036)
141.1200	am	(P-7873) (E-8036)	141.4800	am	(P-7873) (E-8036)
141.1240	am	(P-15483/88; A-516) (P-7873)	141.4800	am	(P-7873) (E-8036)
141.1280	am	(E-8036)	141.4800	am	(P-7873) (E-8036)
141.1280	am	(P-15483/88; A-516) (P-20370/88; A-3850) (P-7873) (E-8036)	141.4800	am	(P-7873) (E-8036)
141.1320	am	(P-7873) (E-8036)	141.4800	am	(P-7873) (E-8036)

SAI - 49

TITLE 89 (CONT'D)			TITLE 89 (CONT'D)			TITLE 89 (CONT'D)			TITLE 89 (CONT'D)		
144.150	n	(P-11999)	148.280	re	(A-9572)	240.230	am	(P-10821/88; A-11193)	240.835	am	(P-10821/88; A-11193)
144.175	n	(P-11999)	148.290	re	(A-9572)	240.240	am	(P-10821/88; A-11193)	240.855	am	(P-10821/88; A-11193)
144.200	n	(P-11999)	148.300	re	(A-9572)	240.250	am	(P-10821/88; A-11193)	240.860	am	(P-10821/88; A-11193)
144.205	n	(P-11999)	148.310	re	(A-9572)	240.260	n	(P-10821/88; A-11193)	240.865	am	(P-10821/88; A-11193)
144.225	n	(P-11999)	148.320	re	(A-9572)	240.270	n	(P-10821/88; A-11193)	240.870	am	(P-10821/88; A-11193)
144.250	n	(P-11999)	148.330	re	(A-9572)	240.280	n	(P-10821/88; A-11193)	240.875	am	(P-10821/88; A-11193)
146.5	re	(A-7040)	148.340	re	(A-9572)	240.300	am	(P-10821/88; A-11193)	240.905	am	(P-10821/88; A-11193)
146.25	re	(A-7040)	148.350	re	(A-9572)	240.310	am	(P-10821/88; A-11193)	240.910	am	(P-10821/88; A-11193)
146.50	re	(A-7040)	148.360	re	(A-9572)	240.330	am	(P-10821/88; A-11193)	240.915	am	(P-10821/88; A-11193)
146.75	re	(A-7040)	148.370	re	(A-9572)	240.340	am	(P-10821/88; A-11193)	240.920	am	(P-10821/88; A-11193)
146.100	re	(A-7040)	148.380	re	(A-9572)	240.350	am	(P-10821/88; A-11193)	240.925	#	(P-10821/88; A-11193)
146.105	re	(A-7040)	148.390	re	(A-9572)	240.360	am	(P-10821/88; A-11193)	240.930	n	(P-10821/88; A-11193)
146.125	re	(A-7040)	149.100	am	(P-3553)	240.400	am	(P-10821/88; A-11193)	240.935	n	(P-10821/88; A-11193)
146.150	re	(A-7040)	149.105	am	(P-13917/88; A-554)	240.410	am	(P-10821/88; A-11193)	240.940	am	(P-10821/88; A-11193)
146.175	re	(A-7040)	160.1	n	(P-21039/88; A-4268)	240.415	am	(P-10821/88; A-11193)	240.945	am	(P-10821/88; A-11193)
146.200	re	(A-7040)	160.5	n	(P-1396; A-7761)	240.425	am	(P-10821/88; A-11193)	240.950	am	(P-10821/88; A-11193)
146.225	re	(A-7040)	160.10	am	(P-1396; A-7761)	240.430	am	(P-10821/88; A-11193)	240.1010	am	(P-10821/88; A-11193)
147.25	am	(P-3562)	160.10	am	(A-14385)	240.435	am	(P-10821/88; A-11193)	240.1020	am	(P-10821/88; A-11193)
147.50	am	(P-3562)	160.60	am	(P-8255)	240.445	am	(P-10821/88; A-11193)	240.1040	n	(P-10821/88; A-11193)
147.75	am	(P-10627/88; A-559)	160.70	am	(P-20677/88; A-4268) (P-8255)	240.450	am	(P-10821/88; A-11193)	240.1050	n	(P-10821/88; A-11193)
147.100	am	(P-10627/88; A-559)	160.100	n	(P-1396; A-7761)	240.455	am	(P-10821/88; A-11193)	240.1110	r	(P-10821/88; A-11193)
147.205	am		160.110	n	(P-1396; A-7761)	240.460	am	(P-10821/88; A-11193)	240.1120	n	(P-10821/88; A-11193)
147.205	am		160.120	n	(P-1396; A-7761)	240.465	am	(P-10821/88; A-11193)	240.1120	r	(P-10821/88; A-11193)
			160.130	n	(P-1396; A-7761)	240.470	am	(P-10821/88; A-11193)	240.1130	r	(P-10821/88; A-11193)
			160.140	n	(P-1396; A-7761)	240.480	am	(P-10821/88; A-11193)	240.1130	n	(P-10821/88; A-11193)
			160.150	n	(P-1396; A-7761)	240.485	am	(P-10821/88; A-11193)	240.1160	n	(P-10821/88; A-11193)
			160.160	n	(P-1396; A-7761)	240.510	#	(P-10821/88; A-11193)	240.1170	n	(P-10821/88; A-11193)
			165.1	n	(P-20679/88; A-3842)	240.510	#	(P-10821/88; A-11193)	240.1210	am	(P-10821/88; A-11193

TITLE #9 (CONT'D)

240.1590	n	(P-10821/88; A-11193)
240.1600	n	(P-10821/88; A-11193)
240.1605	n	(P-10821/88; A-11193)
240.1610	n	(P-10821/88; A-11193)
240.1620	n	(P-10821/88; A-11193)
240.1625	n	(P-10821/88; A-11193)
240.1630	n	(P-10821/88; A-11193)
240.1635	n	(P-10821/88; A-11193)
240.1640	n	(P-10821/88; A-11193)
240.1645	n	(P-10821/88; A-11193)
240.1650	n	(P-10821/88; A-11193)
240.1655	n	(P-10821/88; A-11193)
240.1660	n	(P-10821/88; A-11193)
240.1665	n	(P-10821/88; A-11193)
240.1700	n	(P-685)
240.1705	n	(P-685)
240.1710	n	(P-685)
240.1715	n	(P-685)
240.1718	n	(P-685)
240.1720	n	(P-685)
240.1722	n	(P-685)
240.1725	n	(P-685)
240.1730	n	(P-685)
240.1735	n	(P-685)
240.1737	n	(P-685)
240.1738	n	(P-685)
240.1739	n	(P-685)
240.1800	n	(P-10821/88; A-11193)
240.1850	n	(P-10821/88; A-11193)
240.1910	n	(P-10821/88; A-11193)
240.1920	n	(P-10821/88; A-11193)
240.1930	n	(P-10821/88; A-11193)
240.1940	n	(P-10821/88; A-11193)
240.1950	n	(P-10821/88; A-11193)
240.1960	n	(P-685)
240.2020	n	(P-10821/88; A-11193)
240.2030	n	(P-10821/88; A-11193)
240.2040	n	(P-10821/88; A-11193)
240.2050	n	(P-10821/88; A-11193)
300.20	am	(P-11953/88; A-2419)
300.30	am	(P-11953/88; A-2419)
300.90	am	(P-11953/88; A-2419)
300.100	am	(P-11953/88; A-2419)
300.110	am	(P-11953/88; A-2419)
300.130	am	(P-11953/88; A-2419)
300.140	am	(P-11953/88; A-2419)
300.160	am	(P-11953/88; A-2419)
302.310	am	(P-13614/88; W-8115) (P-7847)
302.311	n	(P-7847)
302.312	am	(P-11953/88; A-7308)
310.2	am	(P-11953/88; O-3412; R-7483; A-7308)
310.13	am	(P-11953/88; A-7308)
310.14	am	(P-11953/88; A-7308)
310.15	am	(P-11953/88; A-7308)

TITLE #9 (CONT'D)

510.16	r	(P-3020)
510.20	r	(P-3036; O-13297; RC-13300)
510.20	r	(P-3020)
510.30	n	(P-3036; O-13297; RC-13300)
510.30	n	(P-3020)
510.40	n	(P-3036; O-13297; RC-13300)
510.40	n	(P-3020)
510.50	n	(P-3036; O-13297; RC-13300)
510.50	n	(P-3020)
510.60	n	(P-3036; O-13297; RC-13300)
510.60	n	(P-3020)
510.70	n	(P-3036; O-13297; RC-13300)
510.80	n	(P-3036; O-13297; RC-13300)
510.90	n	(P-3036; O-13297; RC-13300)
510.100	n	(P-3036; O-13297; RC-13300)
510.110	n	(P-3036; O-13297; RC-13300)
510.120	n	(P-3020)
510.130	r	(P-3020)
510.140	r	(P-3020)
510.210	r	(P-3020)
510.220	r	(P-3020)
510.230	r	(P-3020)
510.240	r	(P-3020)
510.250	r	(P-3020)
510.260	r	(P-3020)
510.270	r	(P-3020)
510.280	r	(P-3020)
510.290	r	(P-3020)
510.300	r	(P-3020)
510.310	r	(P-3020)
510.320	r	(P-3020)
510.410	r	(P-3020)
510.420	r	(P-3020)
520.20	am	(P-6911/88; A-5149)
520.30	am	(P-6911/88; A-5149)
520.100	am	(P-6911/88; A-5149)
525.10	n	(P-1411/88; A-9580)
530.5	n	(P-3565/88; A-141)
530.10	am	(P-3565/88; A-141)
530.20	r	(P-3565/88; A-141)
530.100	r	(P-3565/88; A-141)
530.105	r	(P-3565/88; A-141)
530.110	am	(P-3565/88; A-141)
530.120	r	(P-3565/88; A-141)
530.130	am	(P-3565/88; A-141)
530.140	am	(P-3565/88; A-141)
530.150	r	(P-3565/88; A-141)
530.200	n	(P-3565/88; A-141)
530.230	n	(P-3565/88; A-141)
530.240	n	(P-3565/88; A-141)
530.260	n	(P-3565/88; A-141)
552.35	am	(P-11117)
552.40	am	(P-277; A-9576)
552.50	am	(P-11177)
552.60	am	(P-11177)

TITLE #9 (CONT'D)

552.90	am	(P-11177)
552.100	am	(P-52; W-4309)
557.10	am	(P-5914)
562.30	am	(P-4685/88; A-2866)
567.10	am	(P-281; A-9590)
567.30	am	(P-10175) (P-14313)
587.50	am	(P-2192/88; A-1850) (P-10765; W-13276)
587.100	r	(P-10765; W-13276)
587.110	am	(P-2192/88; A-1850)
587.130	n	(P-2192/88; A-1850)
587.500	am	(P-2192/88; A-1850)
587.600	am	(P-10765; W-13276)
592.30	am	(P-14338)
592.45	n	(P-2092/88; A-1573)
592.50	am	(P-14338)
592.55	n	(P-14338)
592.60	am	(P-14338)
592.65	n	(P-14338)
592.75	n	(P-14338)
597.20	am	(P-2197/88; A-1568)
597.150	n	(P-2197/88; A-1568)
597.150	am	(P-7212)
607.60	am	(P-56; A-9586) (E-2; O-3478)
622.20	am	(P-8387)
645.10	n	(P-12763)
650.80	r	(P-12758)
650.700	n	(P-15520/88; A-7465)
675.100	am	(P-14319)
675.300	am	(P-13956/88; A-6768) (P-14319)
685.600	am	(P-15023/88; A-5158) (P-12538)
693.200	am	(P-8384)
700.200	am	(P-10409/88; A-3101) (E-13684)
700.300	am	(P-14331)
712.100	am	(P-10377/88; A-10643)
712.200	am	(P-10377/88; A-10643)
712.300	am	(P-10377/88; A-10643)
712.400	am	(P-10377/88; A-10643)
712.1000	n	(P-10377/88; A-10643)
712.40	am	(P-10377/88; A-10643)
714.10	am	(P-4152)
714.20	am	(P-4152)
714.30	am	(P-4152)
714.40	n	(P-4152)
714.110	am	(P-12947)
714.130	am	(P-12947)
714.300	am	(P-12947)
714.310	n	(P-13952/88; A-8911)
714.320	n	(P-12947)
760.440	am	(P-20431/88; A-9325)
765.10	am	(P-13948/88; A-5154)
810.10	am	(P-13739)
825.10	am	(P-13941/88; A-7955)
829.10	n	(P-5990/88; A-3755)

TITLE 89 (CONTD)					
829.20	n	(P-5990/88; A-5755)	829.20	n	(P-5990/88; A-5755)
829.30	n	(P-5990/88; A-5755)	829.30	n	(P-5990/88; A-5755)
829.40	n	(P-5990/88; A-5755)	829.40	n	(P-5990/88; A-5755)
829.50	n	(P-5990/88; A-5755)	829.50	n	(P-5990/88; A-5755)
829.60	n	(P-5990/88; A-5755)	829.60	n	(P-5990/88; A-5755)
829.70	n	(P-5990/88; A-5755)	829.70	n	(P-5990/88; A-5755)
829.80	n	(P-5990/88; A-5755)	829.80	n	(P-5990/88; A-5755)
829.90	n	(P-5990/88; A-5755)	829.90	n	(P-5990/88; A-5755)
843.10	am	(P-1501/588; A-4298)	843.10	am	(P-1501/588; A-4298)
843.50	am	(P-1501/588; A-4298)	843.50	am	(P-1501/588; A-4298)
843.60	am	(P-1501/588; A-4298)	843.60	am	(P-1501/588; A-4298)
843.70	am	(P-1501/588; A-4298)	843.70	am	(P-1501/588; A-4298)
843.150	am	(P-1501/588; A-4298)	843.150	am	(P-1501/588; A-4298)
843.160	am	(P-1501/588; A-4298)	843.160	am	(P-1501/588; A-4298)
845.40	n	(P-4641)	845.40	n	(P-4641)
870.10	am	(P-8379)	870.10	am	(P-8379)
870.11	n	(P-8379)	870.11	n	(P-8379)
870.20	am	(P-8379)	870.20	am	(P-8379)
895.10	n	(P-3310; O-13302)	895.10	n	(P-3310; O-13302)
895.20	n	(P-3310; O-13302)	895.20	n	(P-3310; O-13302)
895.30	n	(P-3310; O-13302)	895.30	n	(P-3310; O-13302)
895.40	n	(P-3310; O-13302)	895.40	n	(P-3310; O-13302)
895.50	n	(P-3310; O-13302)	895.50	n	(P-3310; O-13302)
895.60	n	(P-3310; O-13302)	895.60	n	(P-3310; O-13302)
895.70	n	(P-3310; O-13302)	895.70	n	(P-3310; O-13302)
1200.20	am	(P-2061/388; A-9283)	1200.20	am	(P-2061/388; A-9283)
1200.30	am	(P-2061/388; A-9283)	1200.30	am	(P-2061/388; A-9283)
1200.40	am	(P-2061/388; A-9283)	1200.40	am	(P-2061/388; A-9283)
1200.50	am	(P-2061/388; A-9283)	1200.50	am	(P-2061/388; A-9283)
1200.60	am	(P-2061/388; A-9283)	1200.60	am	(P-2061/388; A-9283)
1200.70	am	(P-2061/388; A-9283)	1200.70	am	(P-2061/388; A-9283)
1300.340	am	(P-1922/388; A-4644)	1300.340	am	(P-1922/388; A-4644)

[illegible]

TITLE 92 (CONT'D)		TITLE 92 (CONT'D)	
171.21	n	(P-2003)288; A-3984)	
171.1000	am	(P-2003)288; A-3984)	
171.2000	am	(P-2004)088; A-3992)	
173.3000	am	(P-2005)588; A-3995)	
177.2000	am	(P-2002)788; A-3957)	
178.2000	am	(P-2004)588; A-4004)	
448.Ap. A	am	(P-1127; A-7973)	
Ex. A	am	(P-1127; A-7973)	
451.10	n	(P-1653)688; W-288; (P-10311)	
451.20	n	(P-1653)688; W-288; (P-10311)	
451.30	n	(P-1653)688; W-288; (P-10311)	
451.40	n	(P-1653)688; W-288; (P-10311)	
451.50	n	(P-1653)688; W-288; (P-10311)	
451.60	n	(P-1653)688; W-288; (P-10311)	
451.70	n	(P-1653)688; W-288; (P-10311)	
451.80	n	(P-1653)688; W-288; (P-10311)	
451.90	n	(P-1653)688; W-288; (P-10311)	
451.100	n	(P-1653)688; W-288; (P-10311)	
451.110	n	(P-1653)688; W-288; (P-10311)	
451.120	n	(P-1653)688; W-288; (P-10311)	
451.130	n	(P-1653)688; W-288; (P-10311)	
451.140	n	(P-1653)688; W-288; (P-10311)	
451.150	n	(P-1653)688; W-288; (P-10311)	
451.160	n	(P-1653)688; W-288; (P-10311)	
451.Ap.A	n	(P-1653)688; W-288; (P-10311)	
451.Ap.B	n	(P-1653)688; W-288; (P-10311)	
451.Ap.C	n	(P-1653)688; W-288; (P-10311)	
451.Ap.D	n	(P-1653)688; W-288; (P-10311)	
451.Ap.E	n	(P-1653)688; W-288; (P-10311)	
451.Ap.F	n	(P-1653)688; W-288; (P-10311)	
451.Ap.G	n	(P-1653)688; W-288; (P-10311)	
451.II.A	n	(P-1653)688; W-288; (P-10311)	
451.II.B	n	(P-1653)688; W-288; (P-10311)	
452.10	n	(P-1644)788; W-288 (P-10222)	
452.20	n	(P-1644)788; W-288 (P-10222)	
452.30	n	(P-1644)788; W-288 (P-10222)	
452.40	n	(P-1644)788; W-288 (P-10222)	
452.50	n	(P-1644)788; W-288 (P-10222)	
452.60	n	(P-1644)788; W-288 (P-10222)	
452.70	n	(P-1644)788; W-288 (P-10222)	
452.80	n	(P-1644)788; W-288 (P-10222)	
452.90	n	(P-1644)788; W-288 (P-10222)	
452.100	n	(P-1644)788; W-288 (P-10222)	
452.110	n	(P-1644)788; W-288 (P-10222)	
452.120	n	(P-1644)788; W-288 (P-10222)	
452.130	n	(P-1644)788; W-288 (P-10222)	
452.140	n	(P-1644)788; W-288 (P-10222)	
452.150	n	(P-1644)788; W-288 (P-10222)	
452.160	n	(P-1644)788; W-288 (P-10222)	
452.170	n	(P-1644)788; W-288 (P-10222)	
452.Th.A	r	(P-1644)788; W-288 (P-10222)	
452.Th.B	r	(P-1644)788; W-288 (P-10222)	
452.Th.C	r	(P-1644)788; W-288 (P-10222)	
452.Th.D	r	(P-1644)788; W-288 (P-10222)	
452.Th.E	r	(P-1644)788; W-288 (P-10222)	
452.Ex.A	r	(P-1644)788; W-288 (P-10222)	

TITLE 92 (CONT'D)			TITLE 92 (CONT'D)		
518.10	n	(PP-7057; O-13337; R-13904)	518.910	n	(PP-7057; O-13337; R-13904)
518.15	n	(PP-7057; O-13337; R-13904)	518.915	n	(PP-7057; O-13337; R-13904)
518.20	n	(PP-7057; O-13337; R-13904)	518.920	n	(PP-7057; O-13337; R-13904)
518.100	n	(PP-7057; O-13337; R-13904)	518.925	n	(PP-7057; O-13337; R-13904)
518.105	n	(PP-7057; O-13337; R-13904)	518.1000	n	(PP-7057; O-13337; R-13904)
518.110	n	(PP-7057; O-13337; R-13904)	518.1005	n	(PP-7057; O-13337; R-13904)
518.115	n	(PP-7057; O-13337; R-13904)	518.2000	n	(PP-7057; O-13337; R-13904)
518.120	n	(PP-7057; O-13337; R-13904)	518.2005	n	(PP-7057; O-13337; R-13904)
518.125	n	(PP-7057; O-13337; R-13904)	518.2010	n	(PP-7057; O-13337; R-13904)
518.130	n	(PP-7057; O-13337; R-13904)	518.3000	n	(PP-7057; O-13337; R-13904)
518.135	n	(PP-7057; O-13337; R-13904)	518.3005	n	(PP-7057; O-13337; R-13904)
518.140	n	(PP-7057; O-13337; R-13904)	518.3010	n	(PP-7057; O-13337; R-13904)
518.145	n	(PP-7057; O-13337; R-13904)	518.4000	n	(PP-7057; O-13337; R-13904)
518.200	n	(PP-7057; O-13337; R-13904)	518.4005	n	(PP-7057; O-13337; R-13904)
518.300	n	(PP-7057; O-13337; R-13904)	518.4010	n	(PP-7057; O-13337; R-13904)
518.305	n	(PP-7057; O-13337; R-13904)	518.4015	n	(PP-7057; O-13337; R-13904)
518.310	n	(PP-7057; O-13337; R-13904)	518.4020	n	(PP-7057; O-13337; R-13904)
518.315	n	(PP-7057; O-13337; R-13904)	518.4025	n	(PP-7057; O-13337; R-13904)
518.320	n	(PP-7057; O-13337; R-13904)	518.4030	n	(PP-7057; O-13337; R-13904)
518.400	n	(PP-7057; O-13337; R-13904)	518.4035	n	(PP-7057; O-13337; R-13904)
518.405	n	(PP-7057; O-13337; R-13904)	518.4040	n	(PP-7057; O-13337; R-13904)
518.410	n	(PP-7057; O-13337; R-13904)	518.4045	n	(PP-7057; O-13337; R-13904)
518.415	n	(PP-7057; O-13337; R-13904)	518.4050	n	(PP-7057; O-13337; R-13904)
518.420	n	(PP-7057; O-13337; R-13904)	518.4055	n	(PP-7057; O-13337; R-13904)
518.500	n	(PP-7057; O-13337; R-13904)	518.4060	n	(PP-7057; O-13337; R-13904)
518.505	n	(PP-7057; O-13337; R-13904)	518.4065	n	(PP-7057; O-13337; R-13904)
518.600	n	(PP-7057; O-13337; R-13904)	518.4070	n	(PP-7057; O-13337; R-13904)
518.700	n	(PP-7057; O-13337; R-13904)	518.4075	n	(PP-7057; O-13337; R-13904)
518.705	n	(PP-7057; O-13337; R-13904)	518.4080	n	(PP-7057; O-13337; R-13904)
518.710	n	(PP-7057; O-13337; R-13904)	518.4085	n	(PP-7057; O-13337; R-13904)
518.715	n	(PP-7057; O-13337; R-13904)	518.4090	n	(PP-7057; O-13337; R-13904)
518.720	n	(PP-7057; O-13337; R-13904)	518.4095	n	(PP-7057; O-13337; R-13904)
518.725	n	(PP-7057; O-13337; R-13904)	518.4100	n	(PP-7057; O-13337; R-13904)
518.730	n	(PP-7057; O-13337; R-13904)	518.5000	n	(PP-7057; O-13337; R-13904)
518.735	n	(PP-7057; O-13337; R-13904)	518.Ex.A	n	(PP-7057; O-13337; R-13904)
518.740	n	(PP-7057; O-13337; R-13904)	534.20	amt	(P-2760; A-10963)
518.745	n	(PP-7057; O-13337; R-13904)	534.210	amt	(P-15952/88; A-1866) (P-13822)
518.750	n	(PP-7057; O-13337; R-13904)	545.100	n	(P-1111; RC-8141)
518.800	n	(PP-7057; O-13337; R-13904)	545.200	n	(P-1111; RC-8141)
518.805	n	(PP-7057; O-13337; R-13904)	545.300	n	(P-1111; RC-8141)
518.810	n	(PP-7057; O-13337; R-13904)	545.400	n	(P-1111; RC-8141)
518.815	n	(PP-7057; O-13337; R-13904)	708.80	amt	(P-1503; A-8667)
518.820	n	(PP-7057; O-13337; R-13904)	708.90	amt	(P-1503; A-8667)
518.825	n	(PP-7057; O-13337; R-13904)	708.180	amt	(P-1503; A-8667)
518.830	n	(PP-7057; O-13337; R-13904)	730.301	amt	(P-14357)
518.835	n	(PP-7057; O-13337; R-13904)	730.307	amt	(P-14357)
518.840	n	(PP-7057; O-13337; R-13904)	1000.10	amt	(P-3316; A-11844)
518.845	n	(PP-7057; O-13337; R-13904)	1000.20	amt	(P-3316; A-11844)
518.850	n	(PP-7057; O-13337; R-13904)	1000.41	n	(P-17269/88; A-5185)
518.855	n	(PP-7057; O-13337; R-13904)	1000.50	amt	(P-3316; A-11844)
518.860	n	(PP-7057; O-13337; R-13904)	1000.60	amt	(P-3316; A-11844)
518.865	n	(PP-7057; O-13337; R-13904)	1000.70	n	(P-3316; A-11844)
518.870	n	(PP-7057; O-13337; R-13904)	1000.80	r	(P-3316; A-11844)
518.875	n	(PP-7057; O-13337; R-13904)	1000.120	amt	(P-3316; A-11844)
518.900	n	(PP-7057; O-13337; R-13904)	1001.30	amt	(P-7229)
518.905	n	(PP-7057; O-13337; R-13904)	1001.50	amt	(P-7229)

This part of the Sections Affected Index lists only those Sections on which rulemaking is occurring in this issue of the Illinois Register. For previous action on these Sections in this volume of the Register, please refer to the first part of this index which begins on page SAI-1.

TITLE 92 (CONT'D)

1001.60 am (P-7229)
1001.70 am (P-7229)
1001.70 am (P-7229)
1001.100 am (P-7229)
1001.110 am (P-7229)
1001.210 am (P-7229)
1001.220 am (P-7229)
1001.220 am (P-7229)
1001.230 am (P-7229)
1001.240 am (P-7229)
1001.250 am (P-7229)
1001.260 am (P-7229)
1001.300 am (P-7229)
1001.320 am (P-7229)
1001.330 am (P-7229)
1001.340 am (P-7229)
1001.360 am (P-7229)
1001.400 am (P-7229)
1001.410 am (P-7229)
1001.420 am (P-7229)
1001.430 am (P-7229)
1001.440 am (P-7229)
1001.450 am (P-7229)
1001.460 am (P-7229)
1001.470 am (P-7229)
1001.480 am (P-7229)
1003.20 am (P-2001988; A-7048)
1003.30 am (P-2001988; A-7048)
1003.40 am (P-2001988; O-3454; R-7150; A-7048)
1010.20 n (P-1964288; A-5173)
1010.240 am (P-5655)
1010.430 n (P-1643288; A-1598)
1010.440 n (P-1643288; A-5173)
1010.452 n (P-164288; A-5173)
1010.455 n (P-1964288; A-5173)
1010.456 n (P-1964288; A-5173)
1019.5 n (P-1965288; A-4944)
1019.10 n (P-1965288; A-4944)
1019.20 n (P-1965288; A-4944)
1019.30 n (P-1965288; A-4944)
1019.35 n (P-1965288; A-4944)
1019.40 n (P-1965288; A-4944)
1019.45 n (P-1965288; A-4944)
1020.60 n (P-5665)
1030.11 n (P-3611)
1030.65 am (P-14019)
1030.70 am (P-2076888; A-7808)
1030.85 am (P-2395; A-12978)
1030.86 am (P-1727588; A-5192)
1030.88 am (P-2753; A-12880)
1030.89 am (P-7892)
1030.91 n (P-14344)
1030.94 am (P-3324; A-13898)
1030.94 A n (P-3324; A-13898) (P-3611)
1040.30 am (P-1725988; A-5162)
1040.31 n (P-9490)
1040.40 am (P-1725988; A-5162)

TITLE 92 (CONT'D)

1040.41 n (P-2076088; A-8659)
1040.46 am (P-10216)
1040.66 n (P-1594788; A-1593)
1040.70 am (P-1963688; A-7802)
1040.80 n (P-14014)
1040.100 n (P-2076088; A-8659)
1040.101 n (P-2076088; A-8659)
1205.10 am (P-1665; O-9597; R-11957; A-11460)
1206.20 am (P-1671; A-11466)
1225.45 am (P-1704588; A-4658)
1235.10 n (P-1704588; A-4658)
1235.15 n (P-1704588; A-4658)
1235.20 n (P-1704588; A-4658)
1235.25 n (P-1704588; A-4658)
1235.30 n (P-1704588; A-4658)
1235.35 n (P-1704588; A-4658)
1235.40 n (P-1704588; A-4658)
1235.45 n (P-1704588; A-4658)
1235.50 n (P-1704588; A-4658)
1235.55 n (P-1704588; A-4658)
1300.10 r (P-14147)
1300.20 r (P-14147)
1300.30 r (P-14147)
1300.40 r (P-14147)
1300.50 r (P-14147)
1300.60 r (P-14147)
1304.10 n (P-1338188; A-4654)
1435.15 n (P-9070)
1435.20 am (P-2097488; A-7566)
1595.1 n (P-2097488; A-7566)
1595.5 n (P-2097488; A-7566)
1595.7 n (P-2097488; A-7566)
1595.8 n (P-2097488; A-7566)
1595.16 n (P-2097488; A-7566)
1595.20 r (P-2097888; A-7564)
1595.30 r (P-2097888; A-7564)
1595.40 r (P-2097888; A-7564)
1595.50 r (P-2097888; A-7564)
1595.60 r (P-2097888; A-7564)
1595.70 r (P-2097888; A-7564)
1595.80 r (P-2097888; A-7564)
1595.90 r (P-2097888; A-7564)
1595.100 r (P-2097888; A-7564)
1595.110 r (P-2097888; A-7564)
1595.120 r (P-2097888; A-7564)
1595.130 r (P-2097888; A-7564)
1595.140 r (P-2097888; A-7564)
1595.150 r (P-2097888; A-7564)
1595.160 r (P-2097888; A-7564)
1595.170 r (P-2097888; A-7564)
1605.10 am (P-12673)
1710.160 am (P-10)
1730.15 n (P-9061)
1730.20 am (P-9061)

TITLE 26 (CONT'D)

100.30 am (P-14539)
100.40 am (P-14539)
100.60 am (P-14539)
100.70 am (P-14539)
100.80 am (P-14539)
100.100 am (P-14539)
125.5 am (P-14556)
125.90 am (P-14556)
125.95 am (P-14556)
125.170 am (P-14556)
125.190 am (P-14556)
125.195 am (P-14556)
125.199 am (P-14556)
125.245 am (P-14556)
125.250 r (P-14556)
125.252 am (P-14556)
125.253 n (P-14556)
125.254 n (P-14556)
125.255 r (P-14556)
125.260 r (P-14556)
125.262 am (P-14556)
125.270 am (P-14556)
125.272 am (P-14556)
125.275 r (P-14556)
125.340 am (P-14556)
125.420 am (P-14556)
125.425 n (P-14556)
125.510 r (P-14556)
125.520 am (P-14556)
125.530 am (P-14556)
125.540 r (P-14556)
125.610 am (P-14556)
207.120 n (P-14549)
207.207 Ap-C n (P-14549)

TITLE 32

401.170 am (A-15005)

TITLE 35

102.100 n (P-14696)
102.101 n (P-14696)
102.101 r (P-14727)
102.101 r (P-14696)
102.102 r (P-14727)
102.102 r (P-14696)
102.103 n (P-14696)
102.104 n (P-14696)
102.120 n (P-14696)
102.120 r (P-14727)
102.121 n (P-14696)
102.121 r (P-14727)
102.122 n (P-14696)
102.122 r (P-14727)
102.123 n (P-14696)

TITLE 35 (CONT'D)		
102.123	r	(P-14727)
102.124	r	(P-14727)
102.140	n	(P-14696)
102.140	r	(P-14727)
102.141	n	(P-14696)
102.142	n	(P-14696)
102.160	n	(P-14696)
102.160	r	(P-14727)
102.161	n	(P-14696)
102.161	n	(P-14727)
102.162	n	(P-14696)
102.162	r	(P-14727)
102.163	n	(P-14696)
102.163	r	(P-14727)
102.164	r	(P-14727)
102.180	n	(P-14696)
102.180	r	(P-14727)
102.181	n	(P-14696)
102.181	r	(P-14727)
102.182	n	(P-14696)
102.183	n	(P-14696)
102.200	n	(P-14696)
102.200	r	(P-14727)
102.201	n	(P-14696)
102.201	r	(P-14727)
102.202	n	(P-14696)
102.202	r	(P-14727)
102.220	n	(P-14696)
102.220	r	(P-14727)
102.221	n	(P-14696)
102.222	n	(P-14696)
102.240	n	(P-14696)
102.241	n	(P-14696)
102.242	n	(P-14696)
102.260	n	(P-14696)
102.261	n	(P-14696)
102.262	n	(P-14696)
102.280	n	(P-14696)
102.281	n	(P-14696)
102.282	n	(P-14696)
102.283	n	(P-14696)
102.284	n	(P-14696)
102.285	n	(P-14696)
102.300	n	(P-14696)
102.301	n	(P-14696)
102.320	n	(P-14696)
102.340	n	(P-14696)
102.341	n	(P-14696)
102.342	n	(P-14696)
102.343	n	(P-14696)
102.344	n	(P-14696)
102.345	n	(P-14696)
102.346	n	(P-14696)
102.347	n	(P-14696)
102.348	n	(P-14696)
102.360	n	(P-14696)

TITLE 35 (CONT'D)		
615.602	n	(P-14589)
615.603	n	(P-14589)
615.604	n	(P-14589)
615.621	n	(P-14589)
615.622	n	(P-14589)
615.623	n	(P-14589)
615.624	n	(P-14589)
615.701	n	(P-14589)
615.702	n	(P-14589)
615.703	n	(P-14589)
615.704	n	(P-14589)
615.705	n	(P-14589)
615.721	n	(P-14589)
615.722	n	(P-14589)
615.723	n	(P-14589)
615.724	n	(P-14589)
616.101	n	(P-14647)
616.102	n	(P-14647)
616.103	n	(P-14647)
616.104	n	(P-14647)
616.105	n	(P-14647)
616.201	n	(P-14647)
616.202	n	(P-14647)
616.203	n	(P-14647)
616.204	n	(P-14647)
616.205	n	(P-14647)
616.206	n	(P-14647)
616.207	n	(P-14647)
616.208	n	(P-14647)
616.209	n	(P-14647)
616.210	n	(P-14647)
616.211	n	(P-14647)
616.301	n	(P-14647)
616.302	n	(P-14647)
616.303	n	(P-14647)
616.304	n	(P-14647)
616.305	n	(P-14647)
616.306	n	(P-14647)
616.307	n	(P-14647)
616.401	n	(P-14647)
616.402	n	(P-14647)
616.403	n	(P-14647)
616.404	n	(P-14647)
616.405	n	(P-14647)
616.406	n	(P-14647)
616.407	n	(P-14647)
616.408	n	(P-14647)
616.421	n	(P-14647)
616.422	n	(P-14647)
616.423	n	(P-14647)
616.424	n	(P-14647)
616.425	n	(P-14647)
616.441	n	(P-14647)
616.442	n	(P-14647)
616.443	n	(P-14647)
616.444	n	(P-14647)

TITLE 35 (CONT'D)		
616.445	n	(P-14647)
616.446	n	(P-14647)
616.447	n	(P-14647)
616.461	n	(P-14647)
616.462	n	(P-14647)
616.463	n	(P-14647)
616.464	n	(P-14647)
616.501	n	(P-14647)
616.502	n	(P-14647)
616.601	n	(P-14647)
616.602	n	(P-14647)
616.603	n	(P-14647)
616.604	n	(P-14647)
616.605	n	(P-14647)
616.621	n	(P-14647)
616.622	n	(P-14647)
616.623	n	(P-14647)
616.624	n	(P-14647)
616.625	n	(P-14647)
616.701	n	(P-14647)
616.702	n	(P-14647)
616.703	n	(P-14647)
616.704	n	(P-14647)
616.705	n	(P-14647)
616.721	n	(P-14647)
616.722	n	(P-14647)
616.723	n	(P-14647)
616.724	n	(P-14647)
616.725	n	(P-14647)
617.101	n	(P-14693)
617.102	n	(P-14693)
731.190	n	(A-15010)
731.191	n	(A-15010)
731.192	n	(A-15010)
731.193	n	(A-15010)
731.194	n	(A-15010)
731.195	n	(A-15010)
731.196	n	(A-15010)
731.197	n	(A-15010)
731.198	n	(A-15010)
731.199	n	(A-15010)
731.202	n	(A-15010)
731.203	n	(A-15010)
731.204	n	(A-15010)
731.205	n	(A-15010)
731.206	n	(A-15010)
731.207	n	(A-15010)
731.208	n	(A-15010)
731.209	n	(A-15010)
731.210	n	(A-15010)
731.211	n	(A-15010)

TITLE 41
170.10 am (P-1756; O-13288; R-15126; A-14992)
170.71 n (P-1756; O-13288; R-15126; A-14992)

TITLE 41 (CONT'D)
170.72 n (A-14992)
170.106 n (A-14992)
170.107 n (A-14992)
170.108 n (A-14992)
180.10 r (A-14978)
180.10 n (A-14978)
180.15 n (A-14978)
180.20 am (A-14978)
180.21 n (A-14978)

TITLE 56
2610.100 am (P-4366; O-13282; R-15125;
A-14875)
2610.130 am (A-14875)

TITLE 68
1175.425 am (A-15034)
1175.600 am (A-15034)
1220.140 am (A-15043)

TITLE 77
661.10 am (A-15079)
661.15 am (A-15079)
661.20 am (A-15079)
661.30 am (A-15079)
661.35 am (A-15079)
661.40 am (A-15079)
661.50 am (A-15079)

TITLE 80
1135.10 n (A-14969)
1135.20 n (A-14969)
1135.30 n (A-14969)

TITLE 86
130.1935 am (P-14800)

TITLE 89
112.252 am (P-14741)
112.253 am (P-14741)
112.254 am (P-14741)
114.351 am (P-14764)
114.352 am (P-14764)
114.353 am (P-14764)
115.10 am (P-14790)
120.20 am (P-14778)
120.30 am (P-14778)
121.50 am (P-14756)
149.100 am (A-15070)
230.45 am (P-14499)
302.390 am (P-14508)
408.1 n (P-1357/88; O-13277; R-15123;
A-14828)
408.5 n (P-1357/88; O-13277; R-15123;
A-14828)
408.10 n (P-1357/88; O-13277; R-15123;
A-14828)

TITLE 89 (CONT'D)
408.15 n (P-1357/88; O-13277; R-15123;
A-14828)
408.20 n (P-1357/88; O-13277; R-15123;
A-14828)
408.25 n (P-1357/88; O-13277; R-15123;
A-14828)
408.30 n (P-1357/88; O-13277; R-15123;
A-14828)
408.35 n (P-1357/88; O-13277; R-15123;
A-14828)
408.40 n (P-1357/88; O-13277; R-15123;
A-14828)
408.45 n (P-1357/88; O-13277; R-15123;
A-14828)
408.50 n (P-1357/88; O-13277; R-15123;
A-14828)
408.55 n (P-1357/88; O-13277; R-15123;
A-14828)
408.60 n (P-1357/88; O-13277; R-15123;
A-14828)
408.70 n (P-1357/88; O-13277; R-15123;
A-14828)
408.75 n (P-1357/88; O-13277; R-15123;
A-14828)
408.80 n (P-1357/88; O-13277; R-15123;
A-14828)
408.85 n (P-1357/88; O-13277; R-15123;
A-14828)
408.90 n (P-1357/88; O-13277; R-15123;
A-14828)
408.95 n (P-1357/88; O-13277; R-15123;
A-14828)
408.100 n (P-1357/88; O-13277; R-15123;
A-14828)
408.105 n (P-1357/88; O-13277; R-15123;
A-14828)
408.115 n (P-1357/88; O-13277; R-15123;
A-14828)
408.120 n (P-1357/88; O-13277; R-15123;
A-14828)
408.125 n (P-1357/88; O-13277; R-15123;
A-14828)
408.130 n (P-1357/88; O-13277; R-15123;
A-14828)
408.135 n (P-1357/88; O-13277; R-15123;
A-14828)
408. Ap.A n (P-1357/88; O-13277; R-15123;
A-14828)
408. Ap.B n (P-1357/88; O-13277; R-15123;
A-14828)
408. Ap.C n (P-1357/88; O-13277; R-15123;
A-14828)
408. Ap.D n (P-1357/88; O-13277; R-15123;
A-14828)
602.20 am (P-14797)
714.10 am (A-15091)

TITLE 89 (CONT'D)
714.20 am (A-15091)
714.30 am (A-15091)
714.40 n (A-15091)
895.10 n (P-3310; O-13302; R-15127)
895.20 n (P-3310; O-13302; R-15127)
895.30 n (P-3310; O-13302; R-15127)
895.40 n (P-3310; O-13302; R-15127)
895.50 n (P-3310; O-13302; R-15127)
895.60 n (P-3310; O-13302; R-15127)
895.70 n (P-3310; O-13302; R-15127)

TITLE 92
1010.430 n (A-15102)
1020.10 am (P-14818)
1030.11 am (A-15112)
1030. Ap.B n (A-15112)
1040.25 n (P-14810)

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